

IN THE COURT OF THE SUB JUDGE, MUVATTUPUZHA

Present:- Sri. Aravind B. Edayodi, Sub Judge

Thursday, the 22nd day of September 2022/31st Bhadrapada 1944**I.A. No. 9/2022 in O.S. No. 82/2020****Petitioners/Plaintiffs :**

1. Shibu George, aged 52, S.o. N C George, Nadukudiyil, Kuroor Kara, Kothamangalam now residing at Ayyakkadu Kara, Thrikkariyoor village, Kothamangalam (1st Plaintiff).
2. Shency Anil, W.o. Anil, aged 55, Anikkattu House, Marady village. (2nd Plaintiff)
3. Shiji George aged 54, W.o. Late. Proff. P J George, East Kadathy, Velloorkunnam, Muvattupuzha (3rd Plaintiff).
4. Shibi Saju, W.o. Saju, chakkalackal House, east Kadathy, Velloorkunnam, Muvattupuzha.

By Advs. M/s. Pradeep R & Jijo Joseph

Respondents/Defendants:

1. Shobu George, S.o. N C George, Nadukudiyil, Kuroor Kara, Kothamangalam (1st defendant).
2. Kunjamma George, W.o. Late N C George, Nadukudiyil, Kuroor Kara, Kothamangalam (2nd Defendant).
3. Eldo Shobu, Minor, S.o. Shobu, Nadukudiyil, Kuroor Kara, Kothamangalam (3rd Defendant).
4. Anie Shobu, W.o. Shobu, Nadukudiyil, Kuroor Kara, Kothamangalam (4th Defendant).
5. C I Varghese, Chundattu House, Venduvazhi Post, now near Kala Auditorium, Kothamangalam (5th Defendant).

R1to R4 By Advs. M/s. P M Rafeek & P M Riyas

R5 By Advs. M/s. Sherman A George & Ruby Anna Mathew

This petition is filed under Section 151 of the CPC to issue summons to the Sub Registrar, Kothamangalam directing him to produce documents.

The petition coming on for final hearing on 15.09.2022 in the presence of above counsel and the court on this day passed the following order:-

ORDER

This is an application filed by plaintiffs under Order XVI Rule 6 read with Section 151 of Code of Civil Procedure, directing the Sub Registrar, Kothamangalam, to produce documents regarding registration of disputed documents in the suit.

2. Respondents/defendants 1 to 4 filed objection stating that the documents sought to produce are unnecessary to decide the issues.

3. Other respondent not filed objection.

4. Heard both sides.

5. Now the points arose for consideration are:

1. Are the petitioners entitled to an order directing the Sub Registrar Kothamangalam to produce documents, as that sought for?

2. What is the order as to costs?

6. Point No.1:- Documents sought to produce are connected with the disputed documents in the suit. Hence for the just decision of the case, it is proper to summon the Sub Registrar Kothamangalam to produce the documents as that sought for. Hence issue summons to the Sub Registrar Kothamangalam to produce the documents stated in the petition.

7. Point No.2:- Considering the facts and circumstance of the case, each party shall bear their respective costs.

In the result, petition is allowed and Sub Registrar Kothamangalam is directed to produce the documents, as that sought for. Issue summons to the Sub Registrar Kothamangalam, to produce the documents stated in the petition.

Dictated to the Confidential Assistant, typed by her directly into computer, corrected and pronounced by me in the Open Court, this the 22nd day of September 2022.

Sd/-
Aravind B. Edayodi
Sub Judge

Appendix : Nil

Id/-
Sub Judge

//True Copy//

(By Order)

Sheristadar

Copied by : stn/-
Compd by: svb/-

Copy of Order in
I.A. No. 9/2022
in O.S. 82/2020
Dated : 22.09.2022