

IN THE COURT OF MUNSIFF, KOTHAMANGALAM

Present: Sri Ganesh Kumar M S, Civil Judge (Junior Division)

Friday, the 24th day of October 2025/2nd Karthika 1947

IA No.16/2025 in OS No.96/2019

Petitioners/
Defendants:-

- 1 Pankajakshan Nair, S/o. Narayanan Nair, Akhil Nivas (Kudakkassery) Near Chinnamma Scaria Road, Kuthukuzhy Bhagam, Kothamangalam Village.
- 2 Geetha Pankjakshan ,W/o. Pankajakshan Nair, Akhil Nivas (Kudakkassery) Near Chinnamma Scaria Road, Kuthukuzhy Bhagam, Kothamangalam Village.

By Advs. M/s.Sherman A George, Jackson George.

Respondents/
Plaintiffs:

- 1 Sunny, S/o. Late Paulose Kathanar, Maracherryputhenpurayil house, Kuthukuzhy Bhagam, Kothamangalam Village.
- 2 Susy, W/o. Sunny, Maracherryputhenpurayil house, Kuthukuzhy Bhagam, Kothamangalam Village.
- 3 Vinu. S. Basil, Maracherryputhenpurayil house, Kuthukuzhy Bhagam, Kothamangalam Village, rep by power of attorney holder Susy.

By Adv. Sri. Gigi Peter.

This petition is coming on for final hearing on 08.08.2025 in the presence of counsel for both sides and on 24.10.2025 the court passed the following

ORDER

1. The petition is filed by the petitioners/defendants seeking to direct the respondents/plaintiffs to produce the purchase certificate No.65/1975 issued by Land Tribunal Kothamangalm under

Order X1 Rule 14 r/w section 151 of CPC,1908.

2. **The averments contained in the affidavit filed along with the petition, in brief, are as follows:-** The petitioners are the defendants in the above suit. The suit is for declaration of title and other reliefs. The document which the plaintiff relies upon is Ext.A1 will deed. The prior deed of the same is a bogus document. Since the suit is for declaration, it is necessary to produce the prior deed. Hence, the petition.

3. **Per contra, the plaintiffs/respondents filed objection inter alia contending as follows:-** The petition is not maintainable either under law or on facts. The prior deed of Ext.A1 is not a bogus document. The said deed is 30 years old and thus, it is presumed to be genuine. The petition is filed to protract the proceedings. Thus, the petition is liable to be dismissed.

4. From the above, the moot question called upon to be answered by this court is whether the petition is liable to be allowed or not.

5. Heard and perused the records.

6. Admittedly, the suit is for declaration of tile and other reliefs. The petitioners seeks to direct the plaintiffs to produce the prior deed of Ext.A1 Will deed. Admittedly, the prior deed of Ext.A1 deed is purchase certificate No.65/1975 issued by Land Tribunal Kothamangalm. Considering the fact that the suit is for declaration, I am of the view that the prior deed of plaintiff is a relevant document in the case. Thus, I am satisfied that the petition is liable to be allowed.

In the result,

The petition is allowed as follows:-

(i) The respondents/plaintiffs are directed to produce the purchase certificate No.65/1975 issued by the Land Tribunal Kothamangalam.

(Dictated to the Confidential Asst., typed by her, corrected and pronounced by me open court on this the 24th day of October, 2025)

Sd/-

Ganesh Kumar M S
Civil Judge
(Junior Division)

APPENDIX: NIL

//True copy//

Id/-
Civil Judge
(Junior Division)

Civil Judge
(Junior Division)