

**IN THE COURT OF THE SUB JUDGE, KATTAPPANA  
PRESENT:- SHRI. ARAVIND B EDAYODI., SUB JUDGE**

Thursday, the 12<sup>th</sup> day of June 2025/ 22<sup>nd</sup> day of Jyaishta 1947

**I.A. 06/2025 IN O.S. 81/2023**

***Petitioner/  
Plaintiff*** : Manoj Thomas, S/o Thomas, Puthettu House,  
Anakuthy, Kochuthovala Kara, Kattappana  
Village, Idukki Taluk.

***(By Adv. A. M. Michael)***

***Cr.Petitioner/  
Defendant*** : Binu M. T., S/o Thankappan, Myladimakkal  
House, Kochuthovala Kara, Kattappana Village,  
Idukki Taluk.

***(By Adv. Shaji K. Kurian)***

This petition filed Under Order VI Rule 17 of the Civil Procedure Code 1908 and coming before me for hearing on 12.06.2025 in the presence of the above counsel and the court on the same day passed the following:-

**ORDER**

This is an application filed under Order VI Rule 17 of Civil Procedure Code to amend the plaint incorporating the relief of consequential mandatory injunction directing the defendant to vacate the plaint schedule property since his occupation is permissive, deleting decree of permanent prohibitory injunction and related amendments.

2. Respondent/ defendant filed objection stating that the application filed only to cause the delay without any bonafides and the plaintiff was aware about the possession of property by the defendant.

3. Heard both sides.

4. If the amendment application is allowed, it won't change nature or character of the suit. Defendant is entitled to file additional written statement raising his contentions, hence it could not be said that defendant be prejudice in any manner because of amendment. Definitely if this amendment application is allowed defendant will be subjected to delay and additional cost. Hence defendant is entitled to ₹1000/- towards costs.

In the result, the Amendment Application is allowed on payment of Rs. 1000/- to the defendant. Carryout Amendment within 14 days.

Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court on this the 12<sup>th</sup> day of June 2025.

ARAVIND B EDAYODI  
SUB JUDGE, KATTAPPANA

**APPENDIX : NIL**

SUB JUDGE, KATTAPPANA

Typed by : Sheena  
Compd. by : Mahesh

Order in I.A. 06/2025 in O.S. 81/2023  
Dated 12.06.2025