

IN THE COURT OF THE DISTRICT JUDGE, KASARAGOD

Present:-Sri.Sanu.S. Panicker, District Judge,
Monday,the 15th day of September,2025

I.A.No.1 OF 2025 in A.S No.34 OF 2025

- 1 Ramachandra (Dead) .
- 2 Damodara, aged 70 years, S/o.Late Manjappa,R/at.Kuyangot Chal, Myalatti Post, Thekkil Village, Via Uduma, Kasaragod Taluk, Pin: 671 319.
- 3 Padmanabha, aged 65 years. S/o.Late Guruvanna, R/at.Kuyangot Chal, Mylatti Post, Thekkil Village, Via Uduma, Kasaragod Taluk, PIN 671 319.
- 4 Savithri, aged 88 years.
- 5 Vasantha, aged 62 years.
- 6 Radhakrishna, aged 60 years.
- 7 Srinivasa, aged 56 years.
- 8 Santhosha, aged 53 years.

Petitioners/ D1
to 3,5,7 to 10/
Appellants

No.4 is widow and No.5 to 8 are children of late Ramachandra. All are R/at.Kuyyengot Chal, Mylatti Post, Thekkil Village, Kasaragod Taluk and District, Pin 671 319.

AND

- 1 Bhagirathi, aged 60 years,
W/o.Janardhana, D/o.Late
Guruvanna, R/at. Kuyyengot Chal,
Mylatti Post, Thekkil Village,
Kasaragod Taluk and District,
Pin 671 319.
- 2 Bhavano, aged 62 years,
D/o.Late Guruvanna, W/o.Shekara,
R/at.0-207, Geetha Nivas, Majoor
Village and Post, Kaup, Udupi
District-574106.
- 3 Kusumavathi, aged 66 years,
D/o.Late Ramachandra, W/o.Late
Raghavan, R/at.Basavamooole,
Nettanige Village and Post,
Kasaragod Taluk and District,
Pin : 671543.
- 4 Sowmya, aged 48 years,
W/o.Padmanabha, R/at.Bajibail,
Panayal Village and Post, Hosdurg
Taluk, Kasaragod District,
PIN: 671318

Respondents/
Plaintiff/ D4, 6
and 11

Application filed under Order 41 Rule 5 and
Section 151 of C.P.C to stay the execution of the
Decree and Judgment of Principal Munsiff Court,
Kasaragod in O.S No.113/2017 dated 15.07.2025

Petition filed on : 12.09.2025

This petition coming on this day for hearing

before me in the presence of Sri.B.Ramakrishna Bhat, Advocate for Petitioner; the Court passed the following:-

O R D E R

Heard.

2. At the hearing, Mr.B.Ramakrishna Bhat, the learned counsel appearing for the petitioner/appellant submitted that the appellant has got good ground to contest the matter in the appeal. He further submitted that though the appellant produced Ext.B1 to B14 to establish his possession over the plaint schedule property such as basic tax receipt, building tax etc. before the trial court, it were not considered. He further asserted that the plaintiff himself admitted that she has visited property for last several years. He therefore seeks stay of the impugned decree until the appeal is heard on merits.

3. Having considered the facts and circumstances of the case and the aforesaid submission of the learned counsel appearing for the petitioner/ appellant, I am of the view that the execution of the impugned decree passed by the trial court is liable to be stayed until further orders. I order accordingly.

In the result, the execution of impugned decree in OS.113/2017 on the file of the Court of Principal Munsiff, Kasaragod stands stayed until further orders.

Issue urgent notice to the respondents, returnable by 10.10.2025.

Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced on this the 15th day of September, 2025.

**DISTRICT JUDGE
KASARAGOD**

Typed by : Jayanthi.K
Compared by : Reshmi.P

**Fair/Copy of Order
in I.A.No.01/2025
in A.S.No.34/2025**

Dated: 15.09.2025