

**IN THE COURT OF THE MUNSIFF, KOYILANDY**  
**Present:- Miss. Raveena Naz, Munsiff, Koyilandy**

**Wednesday the 23<sup>rd</sup> day of July, 2025**


**I.A. No. 8/2025 in O.S. No. 114/2021**

**Between:**

- 1 Nadukkandy Meethal Leela, D/o. KunhIRaman Nair, Naduvannur Amsom Desom, Koyilandy Taluk.
  - 2 Nadukkandy Meethal Balakrishnan, S/o. KunhIRaman Nair, Naduvannur Amsom Desom, Koyilandy Taluk.
  - 3 Nadukkandy Meethal Radha, D/o. KunhIRaman Nair, Naduvannur Amsom Desom, Koyilandy Taluk.
  - 4 Nadukkandy Meethal Asokan, S/o. KunhIRaman Nair, Naduvannur Amsom Desom, Koyilandy Taluk.
  - 5 Nadukkandy Meethal Santha, D/o. KunhIRaman Nair, Naduvannur Amsom Desom, Koyilandy Taluk.
  - 6 Nadukkandy Meethal Suresh Kumar, S/o. KunhIRaman Nair, Naduvannur Amsom Desom, Koyilandy Taluk.
  - 7 Narayanikkutti Amma, W/o. Late. Radhakrishnan Nair, Swastham, Theruvil, Residing at Swapnam House, Viyyur Amsom, Kollam Desom, Koyilandy Taluk
  - 8 Sunil Kumar, S/o. Radhakrishnan Nair, Swastham, Theruvil, Residing at Swapnam House, Viyyur Amsom, Kollam Desom, Koyilandy Taluk
  - 9 Anil Kumar, S/o. Radhakrishnan Nair, Swastham, Theruvil, Residing at Swapnam House, Viyyur Amsom, Kollam Desom, Koyilandy Taluk
- } Petitioners

**And :**

- 1 Koviloti Mini, W/o. Rajagopalan, Kolakkad Desom, Atholi Village, Koyilandy Taluk.
- } Respondents

- |  |   |                    |
|--|---|--------------------|
| <p>2 Koviloti Ramyaraj, D/o. Rajagopalan, Kolakkad Desom, Atholi Village, Koyilandy Taluk.</p> <p>3 Koviloti Reshmaraj, D/o. Rajagopalan, Kolakkad Desom, Atholi Village, Koyilandy Taluk.</p> <p>4 Koviloti Gangaraj, D/o. Rajagopalan, Kolakkad Desom, Atholi Village, Koyilandy Taluk.</p> <p>5 Bindu, W/o. Sureshkumar, Residing at Naduvilakkandy, Naduvannur Amsom Desom, Koyilandy Taluk.</p> |  | <p>Respondents</p> |
|--|---|--------------------|

This Petition coming on this day for hearing before me in the presence of Sri. T. Harishkumar, Advocate for Petitioners and Sri. M.P Sukumaran and Smt. M. Bindu, Advocates for Respondents and the Court passed the following:

### **ORDER**

1. Petition is filed under Order 6 Rule 17 of Code of Civil Procedure.
2. Petition is filed to amend the plaint.
3. Petition averments, in brief, are as follows: Petitioner is the Plaintiff in the suit. Petition is filed to amend the plaint. Petitioner contends that portion of property in item No. 2 of petition schedule property was transferred to 4<sup>th</sup> Plaintiff which was not excluded from the property schedule. The Petitioner also contends that the averments in the counter claim are false. Petitioner contends that as the 4<sup>th</sup> Plaintiff paid the housing loan at KSFE, the 4<sup>th</sup> Plaintiff was gifted with property of 4 cents.

4. The Respondents filed Objection contending that the amendment is sought for after perusing the documents filed by Respondent herein.
5. Heard both sides.
6. Perused the Petition and Objection. The suit has been filed for partition of plaint schedule property. Petitioner herein seeks to amend the plaint by incorporating the transfer of property by the 4<sup>th</sup> Plaintiff to the 5<sup>th</sup> Plaintiff and by incorporating the averment that the 4<sup>th</sup> Plaintiff was gifted with the property of 4 cents. The Respondents contends that the property was transferred by the 4<sup>th</sup> Plaintiff to the 5<sup>th</sup> Plaintiff during the pendency of the suit. It is averred by the Petitioner that the property was transferred to the 5<sup>th</sup> Plaintiff only in 2022.
7. In order to have proper adjudication of the dispute, the plaint is to be amended. But as the matter sought to be amended cannot be given effect from the date of the plaint, the effect of amendment is given effect only from the date of amendment to avoid prejudice to Respondents. IA decided accordingly. IA closed.

(Pronounced by me in open Court on this the 23<sup>rd</sup> day of July, 2025)

Sd/-  
**MUNSIFF**

kb

Order in IA 8/2025  
in OS 114/2021, Dated: 23.07.2025