

IN THE COURT OF THE MUNSIFF, KOYILANDY**Present:- Miss. Raveena Naz, Munsiff, Koyilandy****Monday the 23rd day of March, 2026****I.A. No. 01/2026 in O.S. No. 125/2021****Between:**

Ajitha Anirudhan, D/o. Madhavi, Aged 56 years,
Nalupilakkal House, Atholi Village, Kolathur Desom,
Kozhikode Taluk, Kozhikode District.

} Petitioner

And :

- 1 Pushpa Narayanan, D/o. Madhavi, Aged 62 years,
Mavilipurathoott House, Madakkara Road,
Edakkulam Amsom Desom, Koyilandy Taluk,
Kozhikode District.
- 2 Lathika Devadas, D/o. Madhavi, Aged 58 years,
Valappil House, Pantheerankavu Village,
Pantheerankavu Desom, Olavanna, Kozhikode
Taluk, Kozhikode District.
- 3 V. Veerendrakumar, S/o. Madhavi, Aged 54 years,
Valloppilli House, Elathur Village, Elathur Desom,
Kozhikode Taluk, Kozhikode District.
- 4 Balan (**Died**), S/o. Kunhandi, Kalurpoyil Kuniyil
House, Cheruvalath, Chengottukavu, Edakkulam,
Koyilandy Taluk
- 5 V. Manoj Kumar, S/o. Chanthukkutty, Gouricharan,
Kacheri Amsom Desom, Kozhikode District.

} Respondents

This Petition coming on this day for hearing before me in the presence of Sri. G. Praveenkumar, Advocate for Petitioner and Sri. Chandran Perambra, Advocate for Respondent Nos. 1 to 3 and Smt. M. Bindu, Advocate for Respondent No. 4 & 5 and the Court passed the following:

ORDER

1. Petition is filed under Order 16 Rule 6 of the Code of Civil Procedure.

2. Petition averments, in brief, are as follows: The Petitioner herein is the Plaintiff in the suit. The suit has been filed for partition. Petitioner contends that the consideration received by the 4th Defendant, ie. Rs. 6,25,000/- (Rupees Six Lakh and Twenty Five Thousand only) in his account No. 0837101013205 maintained at Canara Bank, Koyilandy Branch is the consideration received by him for sale deed No. 2044/2021. Out of the said amount Rs. 2,25,000/- (Rupees Two Lakh and Twenty Five Thousand only) was transferred to the account of the 3rd Defendant and Rs. 2,00,000/- (Rupees Two Lakh only) was transferred to Sri. Arjun Raj, relative of the 1st Defendant, Rs. 2,00,000/- (Rupees Two Lakh only) was transferred on 17.11.2021 to Sri. Sasidharan, friend and relative of the 1st Defendant. Hence the Plaintiff seeks for summoning Bank Manager, Canara Bank, Koyilandy Branch for producing the details of the transactions in account No. 0837101013205 maintained at Canara Bank, Koyilandy Branch for the period from 30.10.2021 to 24.12.2021.
3. Respondent Nos. 1 and 3 filed Objection contending that the Petition has been filed without *bonafides*. The documents are not necessary for the fair adjudication of the case. The attempt of the Petitioner is to drag the proceedings. The Petition is to be dismissed with costs to the Respondents.
4. Respondent No. 5 filed Objection contending the Petition is not maintainable and the attempt of the Petitioner is to drag the proceedings. The Petition is to be dismissed.

5. Heard both sides.
6. The suit has been filed for partition of the plaint schedule properties. The Petitioner in the plaint had contended that gift deed Nos. 3370/2004 and 3369/2004 of Sub Registrar's Office, Chemanchery, settlement deed No. 511/2009 of Sub Registrar's Office, Chemanchery are sham documents. It is also averred in the plaint that the above mentioned documents as well as sale deed bearing No. 2044/2021 executed by the 4th Defendant in favour of the 5th Defendant shall not be considered and the plaint schedule properties has to be partitioned. The Petitioner seeks for documents relating to the account of the 4th Defendant to prove that amounts has been transferred to the 3rd Defendant, Sri. Arjun Raj and Sri. Sasidharan alleged to be the relatives of the 1st Defendant. The suit is for partition of the properties and the documents are not necessary for the fair adjudication of the case. IA dismissed. IA closed.

(Dictated to Confidential Assistant, typed by her in Office Computer, corrected and pronounced by me in Open Court, on this the 23rd day of March, 2026)

Sd/-
MUNSIFF

Order in IA 01/2026
in OS 125/2021
Dated: 23.03.2026