

IN THE COURT OF THE SUBORDINATE JUDGE OF VATAKARA.

Present: Sri. Joji Thomas, Sub Judge.
Tuesday, the 13th day of January, 2026.

EP 20/2022 in ARC. 384/2018

Between:

Mantharathur Co-operative Rural Bank Ltd., No: F-1226; A Co-operative Rural Bank having its - Head Office at Pathiyarakkara, Palayad Amsom, Pathiyarakkara Desom, Pathiyarakkara Post, Vadakara Taluk, Kozhikode District, Kerala State through - Its Secretary.	}	Petitioner/DH
---	---	---------------

And:

Sundaran, S/o Appunni Nambiar, 54 Years, Residing at Keloth-House, Memunda Amsom, Memunda Desom, Memunda Post, Kozhikode District, Kerala State.	}	Respondent/JD.
---	---	----------------

This petition coming on the 6th day of January, 2016 for final hearing before me in the presence of Sri. P. Anoop, Sri. Hemachandran.C.M, P.K. Ramachandran and Sri. Previn.PM, Advocates for Petitioner and of Sri. K. Lal Mohan, Advocate for Respondent, the Court passed the following:

ORDER

Heard both the counsel on draft of proclamation of sale. The total decree debt is Rs.62,06,146/-. The extent of property mentioned in draft proclamation of sale is 6.07 Ares in resurvey No.185/5 (old survey 101/5) of Villiappally Village. The market value of entire extent of property with building is shown to be

Rs.44,00,000/-. The value of the building is shown to be Rs.25,60,000/-. As per fair value of land published by Government of Kerala, value of property in resurvey No.185/5 of Villappally Village is Rs.1,11,947/- per Are. If the market value of the said property is calculated on the basis of fair value of land fixed by Government of Kerala, it is only Rs.6,79,518/-. The valuation of the building is assessed based on the report of registered engineer. Hence, the market value of the property seems to be adequate. The respondent has filed objection to draft sale proclamation. According to the respondent, value of the land per cent is Rs.5,00,000/- and market value of the building is Rs.80,00,000/-. The respondent has also claimed that 12 coconut trees aged 30 – 35 years old, 4 jack fruit trees 20 – 25 years old, 3 mango trees 10 – 12 years old and 20 arecanut trees are available in the petition schedule property. The respondents assessed the market value of the entire property to be more than Rs.1.5 crore. However, he has not produced any materials to establish that market value of the land per cent is Rs.5,00,000/- per cent. As already pointed out, the market value of the building is assessed by the petitioner based on the report of the registered engineer. Anyhow, the estimated market value claimed by the respondent shall also be published along with draft sale proclamation. Considering the fact that total amount due is Rs.62,06,146/- (Rupees Sixty two Lakh Six thousand One hundred and Forty Six only) as on 21.03.2022, the date of execution petition, it is better to fix upset price at least at Rs.65,00,000/- (Rupees Sixty Five Lakh only) so as to satisfy the decree. Hence, Rs.65,00,000/- is fixed as the upset price. The

estimated market value claimed by the respondent at Rs.1,50,00,000/- (Rupees One Crore and Fifty Lakh only) also be proclaimed. Accordingly this draft sale proclamation is approved with following changes. Proclaim and sell on 02.02.2026 and report the sale on 03.02.2026.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in the open Court on this the 13th day of January, 2026).

Sd/-
SUB-JUDGE,
VATAKARA.

Witness and Exhibits marked on either side: NIL

Sd/-
SUB-JUDGE,
VATAKARA

Fair/Copy of Order in EP 20/22
in ARC 384/18
Dated: 13/01/2026