

**IN THE COURT OF THE SUBORDINATE JUDGE OF VATAKARA.**

Present: Sri. Joji Thomas, Sub Judge.  
Thursday, the 13<sup>th</sup> day of November, 2025

**IA 02/2025 IN OS 68/2025**

**Between:**

K.P.Kunjipokar, Aged 80 years,  
S/o Andruman, Pathuvaithil House,  
Chennalode.P.O, Kavumannam Village,  
Kalpetta Taluk, Wayanad District, Pin-673121

} Petitioner/  
Plaintiff

**And:**

- 1) Abdurahiman,  
S/o Kunjabdulla, Aged 68 years,  
P.K. House, Kayappanichi.Post,  
Iringannur Village, Edachery,  
Vadakara Taluk, Kozhikode-673 505
  - 2). Kunjammad,  
S/o Kunjabdulla, Aged 65 years,  
Kazhungumparambath, Edachery,  
Kayappanichi.P.O, Iringannur Village,  
Vadakara Taluk, Kozhikode-673505
  - 3). Abdul Karim.K.P,  
S/o Kunjabdulla, 61 years old,  
Kallolikuniyil House, Checkyad Village,  
Parakkadavu.P.O, Vadakara Taluk,  
Kozhikode -673 509
  - 4). Abdul Gafoor,  
S/o Kunjabdulla, 59 years old,  
Kazhungumparambath,  
Parappurath, Nadapuram Village,  
Kummankode Desam, Kummankode.P.O,  
Vadakara Taluk, Kozhikode-673 504
- } Respondents/  
Defendants

- 5). Parveez,  
S/o Kadeeja, 52 years old,  
Kizhakkeveetil, Cherapuram P.O,  
Velam Village, Velam Desam,  
Vadakara Taluk, Kozhikode-673507
- 6). Nasi Salpha,  
D/o Kadeeja, 43 years old,  
Moyarath, Thodathamkandi,  
Paleri.P.O, Changaroth Village,  
Koyilandy Taluk, Kozhikode-673 508
- 7). Seenath,  
D/o Kadeeja, 53 years old,  
Kizhakkeveetil Thazhakuni,  
Cherapuram, Velam Village,  
Vadakara Taluk, Kozhikode-673 507
- 8). Shanas,  
S/o Kadeeja, 46 years old,  
Kizhakke Veetil , Vadayam.P.O,  
Kuttiadi Village, Vadakara Taluk,  
Kozhikode-673 507
- 9). Soujath,  
D/o Kadeeja, 50 years old,  
Kizhakkeveetil Thazhakuni,  
Cherapuram.P.O, Velam Village,  
Vadakara Taluk, Kozhikode-673 507
- 10). Abdurahman,  
S/o Mammu Haji, 67 years old,  
Kunjantavide, Kummankode,  
Nadapuram.P.O, Iyyangode, Kallachi Village,  
Vadakara Taluk, Kozhikode-673 504
- 11). Abdul Hameed,  
S/o Mammu, 57 years old,  
Kazhungumparambath, Edachery,  
Iringannur Village, Kayappanachi, P.O,  
Vadakara Taluk, Kozhikode-673 505

Respondents/  
Defendants

- 12). Ashraf,  
S/o Mammu, 60 years old,  
Kazhungumparampath,  
Iringannur Village, Edachery,  
Kayappanichi.P.O, Vadakara Taluk,  
Kozhikode-673 505
- 13). Nafeesa,  
D/o Mammu, 68 years old,  
Velleri Thazhakuni, Kurikilad Village,  
Chorode.P.O, Vadakara Taluk,  
Kozhikode-673 104
- 14). Mami,  
D/o Mammu, 63 years old,  
Kunjantavida, Kavunginparambath House,  
Iringannur Village, Nadapuram.P.O,  
Vadakara Taluk, Kozhikode-673 504
- 15). Souda Kavungumparampath,  
D/o Mammu, 42 years old,  
Meethale Rayaroth, Ummathur.P.O,  
Chekkyad Village, Vadakara Taluk,  
Kozhikode-673509.
- 16). Muhammad Rafeeq,  
S/o Mammu, 50 years old,  
Kanniyullathil, Thuneri, Kayappanichi.P.O,  
Edachery, Iringannur Village,  
Vadakara Taluk, Kozhikode-673 505
- 17). Ramla,  
D/o Mammu, 46 years old,  
Nangeelikandiyil, Nadapuram Village,  
Iyyankode, Kummankode.P.O.  
Vadakara Taluk, Kozhikode-673504
- 18). K. Subaida,  
D/o Kunjabdulla, 58 years old,  
V5 Zahab Cemetry Road,  
Near Juma Masjid, Manjakkal Village,  
Mahe, Pondicherry-673310

Respondents/  
Defendants

- 19) K.Laila,  
D/o Kunjabdulla, 62 years old,  
Chrishtia Mahal, Naravoor,  
Koothuparamba Village,  
Koothuparamba (m),  
Thalassery Taluk -670643
- 20). Sumayya,  
D/o Kunjabdulla, 41 years old,  
Kannattungal House, Ummathur, P.O,  
Chekkyad Village, Vadakara Taluk,  
Kozhikode-673509
- 21). Mariam,  
D/o Andruman, 83 years old,  
Olodi House, Kurichakam.P.O,  
Velam Village, Velam Desam,  
Vadakara Taluk, Kozhikode-673 508
- 22). Jafar,  
S/o Aishu, 45 years old,  
Karinganintavida, P.O. Nadapuram ,  
Nadapuram Village, Vadakara Taluk,  
Kozhikode, Pin-673504
- 23). Hafsath.O.K,  
D/o Aishu Puthussery, 50 years old,  
Karthikappally.P.O,  
Edachery Village, VTC Eramala,  
Vadakara Taluk, Kozhikode-673 542
- 24), Pathutty,  
D/o Ayshu, 55 years old,  
Karinganeentavida,  
Nadapuram Village, Nadapuram PO,  
Vadakara Taluk, Kozhikode, Pin-673504.
- 25). Safira, Aged 41 years,  
D/o Aishu, Vellatt Perode,  
VTC House, P.O. Perode,  
Thuneri Village, Vatakara taluk,

Respondents/  
Defendants

- Kozhikode, Pin-673504.
- 26). Ammad Thayyullathil,  
S/o Kunjami, 62 years old,  
Kummarkode Desam. Nadapuram Village,  
P.O. Nadapuram, Vatakara taluk,  
Kozhikode, Pin-673504.
- 27). Aishu Rayaroth,  
D/o Kunjami, 55 years old,  
Korankandi, Kummarkode,  
Nadapuram Village, Nadapuram.P.O.  
Vadakara Taluk, Kozhikode-673504
- 28) Andru Thayyullathil,  
S/o Kunjami, 53 years old,  
Kummarkode, Nadapuram Village,  
Nadapuram P.O, Vadakara Taluk,  
Kozhikode-673504
- 29). Kunjali Thayyullathil,  
S/o Kunjami, 52 years old,  
Kummarkode, Nadapuram Village,  
Nadapuram P.O, Vadakara Taluk,  
Kozhikode-673504
- 30). Puliyauchi Biyathu,  
D/o Kunjami, 51 years old,  
Puliyav P.O, Chekkiyad Village,  
Vadakara Taluk, Kozhikode-673 509
- 31). Souda,  
D/o Kunjami, 42 years old,  
Kunjipeedikayil, Kummarkode.P.O,  
Nadapuram Village,  
Vadakara Taluk, Kozhikode-673504
- 32). Kunjabdulla Master,  
S/o Mariam, 49 years old,  
Kandoth, Nadapuram.P.O,  
Nadapuram Village Vadakara Taluk,  
Kozhikode-673504
- Respondents/  
Defendants

- 33). Ashraf,  
S/o Mariam, 47 years old, Kandoth,  
Nadapuram.P. O,Nadapuram Village,  
Vadakara Taluk, Kozhikode-673504
- 34). Faisal,  
S/o Mariam , 49 years old, Kandoth,  
Nadapuram.P.O, Nadapuram Village,  
Vadakara Taluk, Kozhikode-673504
- 35). Mariam, Aged 90 years  
D/o Kunjammad & Biyyathu,  
Cheriya Kammaramkandi,  
P.O. Kummankode,Nadapuram Village,  
Vadakara Taluk, Kozhikode-673504
- 36). Mami,  
D/o Kunjabdulla,68 years old,  
Kuniyil House, Kunnumakkara Village,  
Orkatteri, Eramala P.O, Vadakara Taluk,  
Kozhikode-673308
- 37). Biyyathu Illath,  
D/o Kunjabdulla, 66 years old,  
Illath House, Kummankode,  
Nadapuram Village, Vadakara Taluk,  
Kozhikode-673504
- 38). Basheer Othayoth,  
S/o Kunjabdulla, 65 years old,  
Kummankode,Nadapuram Village,  
Vadakara Taluk, Kozhikode-673504
- 39). Aziz Chathot,  
S/o Kunjabdulla,63 years old,  
Kunichottil House, Kummankode.P.O,  
Nadapuram Village, Vadakara Taluk,  
Kozhikode-673504

Respondents/  
Defendants

- 40). Raihanath,  
D/o Kunjabdulla, 61 years old,  
V.C. House, Tholontavidathazhakuni,  
Nadapuram Village, Nadapuram.P.O,  
Vadakara Taluk, Kozhikode-673504
- 41). Faisal,  
S/o Kunjabdulla, 59 years old,  
Chathoth House, Kummankode.P.O,  
Nadapuram Village, Vadakara Taluk,  
Kozhikode-673504
- 42). Yahiya Chathoth,  
S/o Kunjabdulla, 57 years old,  
Palappuram, Nadapuram Village,  
Kummankode.P.O, Vadakara Taluk,  
Kozhikode-673504
- 43). Sabira.C,  
D/o Kunjabdulla, 55 years old,  
Chathoth House, Kummankode.P.O,  
Nadapuram Village, Vadakara Taluk,  
Kozhikode-673504
- 44). Rafeeque.C,  
S/o Kunjabdulla , 53 years old,  
Chathoth House, Kummankode.P.O,  
Nadapuram Village, Vadakara Taluk,  
Kozhikode-673504
- 45). Shahina.C,  
D/o Kunjabdulla , 51 years old,  
Chenandiyil House, Palappuram,  
Nadapuram Village, Kummankode.P.O,  
Vadakara Taluk, Kozhikode-673504

Respondents/  
Defendants

This petition coming on this day for hearing before me in the presence of Sri. Rajilesh.P, and Sri. Nithin Krishna.T.V, Advocates for Petitioner/plaintiff and the Respondents/Defendants not entered in appearance, the Court passed the following:

**ORDER**

Heard the counsel for the petitioner. No caveat reportedly pending. Perused the records. The present suit is for partition. The petitioner apprehends commission of waste over the subject matter property. The accompanying affidavit reveals prima facie case. In order to preserve the subject matter property, an order of temporary injunction is necessary. I am satisfied that if notice is ordered, the resultant delay would defeat the purpose of injunction. Hence I am inclined to grant ad-interim injunction, restraining the respondents from committing any waste in the plaint schedule property until further orders. Comply Order 39 Rule 3 of Code of Civil Procedure. Issue notice to the respondents returnable by 12/12/2025.

(Pronounced by me in the open Court on this the 13<sup>th</sup> day of November, 2025).

Sd/-  
SUB JUDGE  
VATAKARA

Witnesses and Exhibits marked on either side: NIL

Sd/-  
SUB JUDGE  
VATAKARA

Fair/Copy of order  
in IA.02/2025 in OS 68/25  
dtd 13/11/2025