

IN THE COURT OF THE SUBORDINATE JUDGE OF VATAKARA

Present: Sri. Joji Thomas, Sub Judge
Wednesday, the 1st day of April, 2026

E.P 68/2024 in A.R.C 1249/2018

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,
Vatakara Taluk, Kozhikode District,
Kerala State through its Secretary.

Petitioner/
Decree Holder

And:

1. Mariyam,
D/o Ibrahim Haji, Aged 57 years,
Residing at 'Othayoth', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State.

2. Shameem,
S/o Ibrahim Haji, Aged 44 years,
Residing at 'Othayoth', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State.

3. Hafsath,
D/o Ibrahim Haji, Aged 33 years,
Residing at 'Othayoth', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State.

4. Rasiya,
D/o Ibrahim Haji, Aged 46 years,
Residing at 'Othayoth', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State.

5. Subaida,
D/o Ibrahim Haji, Aged 56 years,
Residing at 'Othayoth', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State.

Respondents/
Judgment Debtors

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| <ol style="list-style-type: none"> 6. Bushara,
W/o Yahiya, Aged 44 years,
Residing at 'Othayoth Meethal', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State. 7. Busthana,
D/o Yahiya, Aged 23 years,
Residing at 'Othayoth Meethal', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State. 8. Farsana,
D/o Yahiya, Aged 22 years,
Residing at 'Othayoth Meethal', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State. 9. Muhammad Yasin,
S/o. Yahiya, Aged 18 years,
Residing at 'Othayoth Meethal', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State. 10. Lubina,
D/o Yahiya, Aged 17 years,
Residing at 'Othayoth Meethal', Memunda Amsom,
Keezhal Desom, Keezhal Post, Vatakara Taluk,
Kozhikode District, Kerala State. | } | <p>Respondents/
Judgment Debtors</p> |
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This petition coming on the 26th day of March for final hearing before me in the presence of Sri. P. Anoop, Advocate for Petitioners/Decree holder and Respondents not entered in appearance and having stood over to this day for consideration, the Court passed the following:

ORDER

Heard both sides on draft of proclamation of sale. The total decree debt is Rs.24,27,144/-. The extent of property mentioned in draft proclamation of sale is

10.4 ares in resurvey No.12/7 (old survey 5/3) of Villiappally Village. The market value of entire extent of property is shown to be Rs.20,00,000/-. The value of the building is shown to be Rs.7,99,932/-. In fact, it is the value of the building assessed by registered Engineer. As per fair value of land published by Government of Kerala, value of property in survey No.12/7 of Villiappally Village is Rs.71,729/- 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.7,45,981/-. Hence, the market value of Rs.20,00,000/- for land seems to be adequate. An amount of Rs.7,99,932/- is shown as market value of the said building which is assessed by the expert engineer. In fact, Rs.27,99,932/- is shown as market value of the property including building. The respondents though was served with notice, they failed to file any objection to the draft of sale proclamation. Hence, Rs.27,99,932/- is fixed as the upset price. This draft sale proclamation is also approved. Proclaim and sell on 20.05.2026 and call the case for report on 21.05.2026.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in the open Court on this the 1st day of April, 2026.

Sd/-
SUB-JUDGE,
VATAKARA.

Witness and exhibits marked on either side:- Nil

Sd/-
SUB-JUDGE,
VATAKARA.

Fair/Copy of Order in EP 68/24
in ARC 1249/18 Dated: 01/04/2026.