

IN THE COURT OF THE SUBORDINATE JUDGE OF VATAKARA.

Present: Sri. Joji Thomas, Sub Judge.

Tuesday, the 9th day of December, 2025.

EP 79/2024 IN OS.69/2023

Between:-

Sarath Chandrakumar,
S/o Kumaran, aged 78 years, Amaya,
Mahi amsom desom, Mahi, 673310.

} Petitioner/Plaintiff

And:

1. Abdul Majeed,
S/o Kutti Hassan Haji, Aged 48 years,
Business, Bharath Bakery, Near Government-
Hospital, Vatakara-4, Vatakara taluk,
Kozhikode District.

2. Mekkattil Ithachu,
D/o Mammad, Aged 78 years,
Thiroomangadi Amsom, Kakkat desom,
Thiroomangadi taluk, Venniyur post,
Malappuram District.

3. Kattikulangara Abdul Rasheed,
S/o Kutti Hassan Haji, Aged 56 years,
Thiroomangadi Amsom, Kakkat desom,
Thiroomangadi taluk, Venniyur post,
Malappuram District.

4. Kattikulangara Kadeeja,
D/o Kutti Hassan Haji, Aged 51 years,
Thiroomangadi Amsom, Kakkat desom,
Thiroomangadi taluk, Venniyur post,
Malappuram District.

5. Kattikulangara Kabeer
S/o Kutti Hassan Haji, Aged 46 years,
Thiroomangadi Amsom, Kakkat desom,
Thiroomangadi taluk, Venniyur post,
Malappuram District.

} Respondents/
Defendants

This petition coming on the 4th day of December, 2025 for final hearing before me in the presence of Sri. B. Krishnan and Sri. T. Sivasankaran, Advocate for Petitioner/Plaintiff and of Sri. C. Subramanian and Sri. P. Anoop , Smt. E. Vidya and Smt. Bhavana.B, Advocates for R1 and R3 to R5 and R2 reported no more, the Court passed the following:

ORDER.

Heard the counsel for petitioner on draft of proclamation of sale. The total decree debt is Rs.13,23,862/- as on 23.11.2024, the date of Execution Petition. The extent of property mentioned in draft proclamation of sale is 6.17 Ares in resurvey No.281/8A in Vatakara Village. The nature of property is stated to be residential plot. As per fair value of land published by Government of Kerala, the value of residential plot in resurvey No.281/8A of Vatakara Village is Rs.7,92,000/- per are. The market value of entire extent of property is shown as Rs.20,00,000/-.If the market value of property is calculated on the basis of fair value of land fixed by Government of Kerala, it is Rs. 48,86,640/-. However, the plaintiff has shown only Rs.20,00,000/- as estimated market value of land being the distressed price. The respondents though served with notice, they did not file any objection. It is understood that market value of the property will be always above the fair value fixed by the Government. The petitioner also has not figured the correct estimated market value of the property. Since the amount due is only

Rs.13,23,862/-, entire extent of property need not be sold. The petitioner shall take steps to identify three Ares property which is sufficient to satisfy the decree debt based on the estimated market value of the property. He shall also file affidavit stating estimated market value of the property.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in the open Court on this the 9th day of December, 2025).

Sd/-
SUB-JUDGE,
VATAKARA.

Witnesses and Exhibits marked on either side. : NIL

Sd/-
SUB-JUDGE,
VATAKARA.

Fair/Copy of order
in EP 79/24 in OS 69/23
Dated: 9/12/2025