

**THE MOTOR ACCIDENTS CLAIMS TRIBUNAL/ADDITIONAL  
DISTRICT AND SESSIONS COURT, TALIPARAMBA**

Present:- Sri.**Prasanth.K.N.**, Motor Accidents Claims Tribunal/

Additional District and Sessions Judge

Monday, the 16<sup>th</sup> day of March, 2026/ 25<sup>th</sup> Phalguna, 1947

**IA No. 05/2025 in AS No. 48 OF 2025**

1. Puzhakkal Sakkir, S/o.Late Hameed, aged 42 years, White House, Madayi amsom, Puthiyangadi desom, (PO) Puthiyangadi, Payyanur Taluk, Kannur Dist. through his PA Holder of Ibrahim Kunhi.V.T, S/o.Moosan Haji, 68 years, Kovvapuram, (PO) Kunhimangalam, Kannur Dist.

Petitioner/  
1<sup>st</sup> respondent

**Vs.**

- 1 Puzhakkal Fathima, aged 37 years, W/o.Abdul Rauf, Near A.K.G.Centre, Gas godown road, Eripuram, (PO) Payangadi, Kannur Dist. Rep. by PA Holder Ishan.A.C aged 52 years, S/o.Abdul Kareem Haji, M.A.C House, Mattool Centre, Near Yaseen Road.
- 2 Puzhakkal Khadeeja, W/o. Late Hameed, White House, Madayi amsom, Puthiyangadi desom, (PO) Puthiyangadi, Payyanur Taluk, Kannur Dist.
3. Puzhakkal Rasheed, S/o.Late Hameed, aged 45 years, White House, Madayi amsom, Puthiyangadi desom, (PO) Puthiyangadi, Payyanur Taluk, Kannur Dist.
4. Puzhakkal Amina Hameed. D/o.Late Hameed, aged 32 years, White House, Madayi amsom, Puthiyangadi desom, (PO) Puthiyangadi, Payyanur Taluk, Kannur Dist.
5. Puzhakkal Shaheed, S/o.Late Hameed, aged 34 years, White House, Madayi amsom, Puthiyangadi desom, (PO) Puthiyangadi, Payyanur Taluk, Kannur Dist.

Respondents/  
Appellant & R2  
to R6

This petition coming on this day for hearing before me in the presence of Sri.V.K.Raveendran, Advocate for the petitioner and the tribunal passed the following:-

**ORDER**

1. The petition was filed under **Order 39, Rule 1** of the Code of Civil Procedure.

2. Counter filed. Heard both sides and perused the records. After going through the affidavit and perusing the document, it is found that a prima facie case has been made out in favour of the petitioner. If the petition is not allowed, it would cause irreparable injury and hardship to the petitioner. Even if all the parties were not incorporated in the petition, the justice cannot be defeated based on the technicalities of the omissions committed by the petitioner herein. Hence, IA is allowed in part, by restraining the R1, plaintiff Fathima, from alienating and committing waste in the plaint A Schedule property. The claim regarding the receipt of rent relating to the building situated in the plaint schedule property is disallowed. IA 5/2025 allowed in part.

*(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 16<sup>th</sup> day of March 2026)*

Sd/  
JUDGE,  
MOTOR ACCIDENTS CLAIMS TRIBUNAL,  
TALIPARAMBA