

IN THE COURT OF THE MUNSIFF OF TALIPARAMBA

Present: Sri. Santhosh K Venu, B.A., LL. B., Munsiff

Thursday, the 30th day of November, 2017

(9th Agrahayana, 1939)

ORIGINAL SUIT NO. 540 OF 2016

Padappengad Deseeya Vayanasala and Arts and Sports)
Club, Rep. By its President Kooveri Amsom, Padappengad) Plaintiff
Desom, P.O.Padappengad 670 581, Taliparamba Taluk.)

Vs.

1 Chapparappadavu Grama Panchayath, Rep. By its)
Secretary, Chapparappadavu.P.O, Taliparamba Taluk,)
Kannur District.)
2 Puthiyapurayil Madhavi, W/o Krishnan, aged about 50) Defendants
years, Agriculturist, Kooveri Amsom, Padappengad)
Desom, P.O. Padappengad 670 581, Taliparamba)
Taluk.)

This suit coming on this day for hearing before me in the presence of S/Sri. Gireesh.G and Sangeetha Nath.K, Advocates for the plaintiff; of S/Sri. P.V.Aseen and M.Vinod Raghavan, Advocates for the 1st defendant; of Sri. K.Pramod, Advocate for the 2nd defendant; the defendants being called absent, set exparte and the Court delivered the following:

J U D G M E N T

Suit for declaration and consequential injunction.

2. The defendants are called absent and set ex parte.

3. The plaintiff was examined as PW1 and Exs.A1 to A10 were marked on the side of the plaintiff.

4. Heard.

5. The plaintiff was examined as PW1 and he filed affidavit in-lieu-of chief-examination. Exs.A1 to A10 were also marked on the side of the plaintiff. The evidence adduced on the side of the plaintiff stands unchallenged, as there was no cross-examination on the part of the defendants. Hence, the plaintiff's averments stand proved and I find myself the plaintiff entitled for a decree in his favour as prayed for.

In the result, suit is decreed and the title of the plaintiff over the plaintiff schedule property is declared. The defendants and their men are restrained by a perpetual injunction from trespassing into the plaintiff schedule property and from committing waste. No costs.

(Dictated to the Confidential Assistant transcribed by him, corrected and pronounced by me in open court this the 30th day of November, 2017)

MUNSIFF

Plaintiff's Exhibits:-

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| A1 | 05-01-1978 | Original Jenm Deed No. 32/1978 of SRO, Taliparamba executed by Parippayi Kelappan and another in favour of Desiya Vayanasala and Janatha Sports and Arts Club. |
| A2 | 19-09-2002 | Land Tax Receipt issued by Village Officer, Kooveri in favour of President, Deseeya Vayanasala, Vemmani. |

A3	22-02-2005	Land Tax Receipt issued by Village Officer, Kooveri in favour of President, Deseeya Vayanasala, Vemmani.
A4	18-11-2006	Land Tax Receipt issued by Village Officer, Kooveri in favour of President, Deseeya Vayanasala, Vemmani.
A5	17-05-2011	Land Tax Receipt issued by Village Officer, Kooveri in favour of President, Deseeya Vayanasala, Vemmani.
A6	23-02-2005	No Objection Certificate issued by Chapparapadava Grama Panchayat to the President, Deseeya Vayanasala, Vemmani.
A7	18-11-2006	Possession Certificate issued by Village Officer, Kooveri to the President, Desiya Vayanasala and Janatha Sports and Arts Club.
A8	17-05-2011	Possession Certificate issued by Village Officer, Kooveri to the President, Desiya Vayanasala and Janatha Sports and Arts Club.
A9	16-11-1997	By Law of Desiya Vayanasala, Padappengad.
A10	16-07-2003	Copy of Registration Certificate issued by District Registrar, Kannur to Desiya Vayanasala Grandhalayam and Janatha Arts and Sports Club.

Plaintiff's Witness:-

PW1 : Sri. K.V.Mukundan, President of Padappengad Deseeya Vayanasala and Arts and Sports Club(Affidavit in-lieu-of Chief Examination)

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Fair/Spare Judgment in
OS. 540/2016 dated 30-11-17