

**IN THE COURT OF THE MUNSIFF, KANJIRAPPALLY.**

**Present : Smt. Smitha Susan Mathew, Munsiff**

**Tuesday 11<sup>th</sup> day of March 2025**  
**20<sup>th</sup> day of Phalguna 1946**

**I.A 6/2025 in O.S 280/2012**

**Petitioners:-**

- 1) Letha Radhakrishnan, W/o Radhakrishnan  
Thuthiyil House, Edakadathy P.O., Erumely  
South Village, Erumely South Kara.
- 2) Thejas Krishna, S/o Letha Radhakrishnan,  
Thuthiyil House, Edakadathy P.O.,  
Erumely South Village.
- 3) Sruthy Krishna, D/o Letha Radhakrishnan,  
Thuthiyil House, Edakadathy P.O.,  
Erumely South Village.

By Adv. Darly M. Sebastian.

**Respondants / Defendants:-**

- 1) Bissy Joseph, W/o Joseph, Pallivathukal  
House, Mukkoottuthara P.O.,  
Kollamula Village.
- 2) Jacob, S/o Kurian, Pallivathukal  
House, Mukkoottuthara P.O.,  
Kollamula Village.

- 3) Jose, S/o Kurian, Pallivathukal House, Edakadathy P.O., Erumely South Village.
- 4) Omana, W/o Jose, Pallivathukal House, Edakadathy P.O., Erumely South Village.
- 5) Tintu, D/o Jose, Pallivathukal House, Edakadathy P.O., Erumely South Village.
- 6) Ponni, D/o Jose, Pallivathukal House, Edakadathy P.O., Erumely South Village.
- 7) K.G. Radhamani, W/o Balan, Ottakkuzhiyil House, Pampavalley North P.O., Erumely South Village.
- 8) Sadanandan, S/o Narayanan, Pottanparambil House, Edakadathy P.O., Erumely South Village.
- 9) Ponnamma, W/o Sadanandan Pottanparambil House, Edakadathy P.O., Erumely South Village.
- 10) Ambily, W/o Sunil, Bhavana Vilasam House, Mariyappally P.O., Kottayam Village.

R1 By Adv. George Kurian  
R2 & R10 Exparte,  
R3 to R6 No Vakalath  
R7 By Adv. Somasekharan Nair  
R8 & R9 By Adv. D. Biju

This petition having been finally heard on 11.03.2025 and the court on the same day passed the following:-

### **ORDER**

Plaintiff filed this petition to amend the plaint in accordance with the commission report. The respondent objects the petition. O.S 280/2012 is trying with O.S 221/12. O.S 280/12 was filed on 11.10.12. 1<sup>st</sup> amendment application I.A 1060/15 was filed on 11.09.15. This was dismissed as not pressed. 2<sup>nd</sup> amendment application was filed on 15.07.22. This was allowed on merits. Later commission report was filed on 25.11.2024. After the filing of commission report I.A 5/25 was filed on 4.01.2025. This was also allowed and amendment was carried out. Then after filing of amended plaint as there was no pre trial steps, the case was listed on 27.01.2025 to 11.03.2025. After filing of commission report 5 postings were given. Thereafter I.A 5/2025 was filed. Hence there was enough time for plaintiff to amend the plaint or to incorporate the prayers in I.A 6/2025 in I.A 5/2025. Repeated filing of amendment

application, even after listing the case is against the interest of justice and it will adversely affect the administration of justice. The filing of this petition on the previous day on which the suit is to be tried is with the purpose of delaying the matter. Hence this petition is liable to be dismissed.

In the result the petition is dismissed.

Pronounced in open court on this the 11<sup>th</sup> day of March, 2025.

Sd/-

SMITHA SUSAN MATHEW  
MUNSIFF

**APPENDIX :-Nil**

Id/-

MUNSIFF

//True copy //

Typed By : Sheeba C.N.

Compd. By : Rajalakshmi T.P.

MUNSIFF