

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,
PARAPPANANGADI**

Present: Ms.Nova Jose

Judicial First Class Magistrate.

Dated this the 30th Day of March, 2026

Crl.M.PNo.4/2026

in

M.C. 66/2025

Petitioners

**:P1]. Sahalath, Aged 27/25 Yrs,
D/o. Saidalavi,
Puthan Peediyekkal House,
C.K.Nagar, Chemmad,
Tirurangadi, Malappuram – 676 306**

**:P2]. Muhammed Sabeeh, Aged 8/25 Yrs,
S/o. Sharafali,
Puthan Peediyekkal House,
C.K.Nagar, Chemmad,
Tirurangadi, Malappuram – 676 306**

**:P3]. Fathima Shahameen, Aged 7/25 Yrs,
D/o. Sharafali,
Puthan Peediyekkal House,
C.K.Nagar, Chemmad,
Tirurangadi, Malappuram – 676 306**

(P2 and P3 being minors are represented by
petitioner No.1 Mother)

[Tirurangadi Police Station Limit]

[Rep.by Sri.M.C.Aneesh, Advocate]

Respondents

**:R1]. Sharafali, Aged 38/25 Yrs,
S/o Saidalavi,
Azhu Valappil House,
Chemmad, Nr.Kondanath Bus stand,
Tirurangadi.P.O. Tirurangadi Taluk,
Malappuram District – 676 306**

:R2]. Saidalavi,

Azhu Valappil House,
Chemmad, Nr.Kondanath Bus stand,
Tirurangadi.P.O. Tirurangadi Taluk,
Malappuram District – 676 306

:R3]. Maimoonath,

W/o Saidalavi,
Azhu Valappil House,
Chemmad, Nr.Kondanath Bus stand,
Tirurangadi.P.O. Tirurangadi Taluk,
Malappuram District – 676 306

:R4]. Jubariya,

D/o Saidalavi,
Azhu Valappil House,
Chemmad, Nr.Kondanath Bus stand,
Tirurangadi.P.O. Tirurangadi Taluk,
Malappuram District – 676 306

:R5]. Mubeena,

Azhu Valappil House,
Chemmad, Nr.Kondanath Bus stand,
Tirurangadi.P.O. Tirurangadi Taluk,
Malappuram District – 676 306

[Tirurangadi Police Station Limit]

[Rep.by Sri.C.K.Sidhique, Advocate]

This case coming on for hearing today and the court passed the following:-

ORDER

1]. This petition has been filed by the sister of the 1st petitioner seeking the appointment of an Advocate Commissioner to inspect the shared household bearing No. 30/126 of Tirurangadi Municipality and to report whether the respondents locked the petitioner inside the house and also locked the kitchen and other areas, as mentioned in the petition. The petitioner stated that this Court admitted the case and passed an ad-interim

protection order and maintenance order and had issued notice to the respondents vide order in CMP No.1486/2025. The petitioner stated that after obtaining order of this Court, the respondents are trying to evict the petitioner in the shared household bearing No.30/126 of Tirurangadi Municipality. The 1st respondent married another woman on 04.02.2026 without the consent of the 1st petitioner. On 12.02.2026, when the respondents attempted to bring the second wife back to the house, all of them together tried to forcibly drag the 1st petitioner out of the house. When the 1st petitioner cried out loudly, the respondents locked her inside the house. The kitchen area was also locked, thereby preventing the petitioner from cooking food. The respondents committed such acts of violence with the intention of forcing the petitioner to leave the house. Even the brothers who brought food for the petitioner were assaulted by the respondents. Having suffered severe hardships, the petitioner is now residing in the above said house. Although a written complaint was lodged with the police, no assistance was provided to the petitioners. Therefore, in order to establish before this Hon'ble Court that the respondents locked the petitioner inside the house and also locked the kitchen and other areas, thereby subjecting her to severe distress while residing in the house, it is urgently necessary to appoint an Advocate Commissioner to inspect house No.30/126 of Tirurangadi Municipality, belonging to the 2nd respondent, where the petitioner is residing, and to submit a report incorporating these facts. Such a report is essential in view of the nature of the case; otherwise, the petitioner will suffer irreparable hardship and loss. Hence the petition.

2]. The respondents filed counter statement denying all the averments in the petition. The respondents submitted that the petition is not maintainable either in law or in facts. The respondents stated that they have not locked the petitioners as mentioned in the petition. The above petition has

been filed only with the intention of deliberately harassing the respondents. The petitioner has filed MC No. 66/2025 at her own residential address. In order to restrain the petitioner and her family members from trespassing into the house of the 2nd respondent, the 2nd respondent has instituted O.S No. 72/2026 before the Parappanangadi Munsiff's Court seeking a permanent injunction, which is presently pending. The present petition has been filed only to deliberately harass the respondents by concealing the petitioners illicit relationship and by fabricating false stories, with the intention of pressuring the respondents and extracting money and property from them. All the allegations stated in the petition are false, and the respondents deny them. The petitioner has no legal right or entitlement to obtain any reliefs as claimed in the petition. Therefore, the above petition, filed only for the purpose of vexation, deserves to be dismissed. There is no circumstance at present that warrants the appointment of an Advocate Commissioner by this Hon'ble Court. Therefore the petition is liable to be dismissed.

3]. Heard both sides. Perused the records.

4]. Considering the rival contentions, I am prima facie satisfied that appointment of an Advocate commissioner would be proper to verify whether the respondents locked the petitioner inside the house and also locked the kitchen and other areas, as mentioned in the petition. It is specifically noted that this petition is filed by the sister of the 1st petitioner on behalf of her. The respondents filed counter statement but they have not raised any serious contentions. The petitioner is permitted to file her work memo before the Advocate Commissioner for noting/reporting her contentions. Hence the petition is allowed. Advocate Vaishak.T, is appointed as Advocate Commissioner. The Commissioner is directed to inspect the house and to report whether the respondents locked the petitioner inside the house

bearing No.30/126 of Tirurangadi Municipality and also locked the kitchen and other areas. The commissioner is further directed to report the points submitted by the petitioner in her work memo. The petitioner is directed to pay a sum of Rs. 3,000/- to the Advocate Commissioner as Batta. The Advocate Commissioner has to file Commission report on or before 06.04.2026.

[Pronounced by me in the open court this the 30th Day of March, 2026.]

Sd/-
Judicial First Class Magistrate,
Parappanangadi.

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