

IN THE COURT OF THE CIVIL JUDGE (SENIOR DIVISION), OTTAPALAM

**Present:- Sri. Renjith Rajan; Civil Judge (Senior Division)**

(Thursday, 12<sup>th</sup> day of March, 2026 (21<sup>st</sup> day of Phalguna, 1947 S.E.)

**ORIGINAL SUIT No.105/2025**

Between  
**Plaintiff**

Shareefa, aged 52 years,  
W/o Ibrahim, Chittapurathu Veedu,  
Pattithara, Thrithala, Pattambi Taluk,  
Palakkad District- 679534,  
(Adhaar Card No. 213547411803).

And

**Defendants**

1. Fathima.K, aged 77 years,  
W/o Abu, Kanichirakkal Veedu,  
Colony Road, Nagalassery, Thekke Vavannur,  
Pattambi Taluk, Palakkad District, Pin: 679533,  
(Aadhaar Card No. 797466265394).
2. Kadeeja, aged 57 years, W/o Kunhumoitheen,  
Kanichirakkal Veedu, Thekke Vavannur Post,  
Nagalassery, Pattambi Taluk, Palakkad District,  
(Aadhaar Card No. 722493318124).
3. Ramla, aged 50 years, W/o Muhammed Rafi,  
Kallumurikkal Veedu, Panniyoor, Anakkara, Koodalloor,  
Palakkad District, Pin: 679554. (Aadhaar Card No. 835878788582).

4. Muhammed Nisar. K. M, aged 27 years,  
S/o Muhammed Rafi, Kallumurikkal Veedu,  
Manniyamperumbalam, Panniyoor, Anakkara,  
Koodalloor, Palakkad District- 679554,  
Aadhaar Card No. 471466557584.  
Represented by Power of Attorney Holder  
Ramla, aged 50 years, W/o Muhammed Rafi,  
Kallumurikkal Veedu, Panniyoor, Anakkara,  
Koodalloor, Palakkad -679554.  
(Appointed as per Order in IA 2/25 dated 05/03/2026)
5. Farzeena. K.M, aged 25 years,  
C/o Muhammed Shihab, Puzhakkal Veedu,  
Kumbidi, Anakkara Post, Palakkad District,  
Pin: 679553, (Aadhaar Card No. 423631932993).
6. Shameem P V, aged 37 years,  
S/o Sidhique, Pattathvalappil Veedu,  
Nagalassery Post, Palakkad District,  
Pin: 679533, (Aadhaar Card: 762707239187)
7. Shisa Faiha.P.V, aged 12 years,  
D/o Shameem, Pattath Valappil Veedu,  
Kuttanad, Nagalassery, Palakkad District,  
Pin: 679533, (Aadhaar Card: 850453004409)

8. Shansa Faiha.P.V, aged 8 years,  
D/o Shameem, Pattath Valappil Veedu,  
Kuttanad, Nagalassery, Palakkad District,  
Pin: 679533, (Aadhaar Card No. 900227579489).

9. Shahasin Muhammed. P V, aged 5 years,  
D/o Shameem, Pattath Valappil Veedu,  
Kuttanad Post, Nagalassery, Palakkad District,  
Pin: 679533, (Aadhaar Card: 216157773261).

Defendants 7 to 9 are minors, Represented by Father Natural Guardian  
Shameem P V, aged 37 years, S/o Sidhique, Pattathvalappil Veedu,  
Nagalassery Post, Palakkad District, Pin: 679533.

This suit coming on this day for hearing before me in the presence of  
Sri. N. Sreeraj, of Sri. Sebin.T, of Sri. Muhammed Rasheed.M, Advocates for  
Plaintiff and of Sri. Satheeshkumar, Advocate for Defendants, the Court  
delivered the following:-

### **JUDGMENT**

Suit is one filed for partition.

2. The parties are Muslims and are subject to Mohammedan law. The  
plaint schedule properties was acquired jointly by Abu and the first defendant  
from Pottammal Aminakutty as per document No.997/1974 of Thrithala SRO  
and thereafter, the Thrithala Land Tribunal has granted purchase certificate in  
favour of Abu on 07.04.1977 proceeding number 5121 of 1976. Later, Abu  
died, and his 1/6 was inherited by his father Enu. Later, after Enu's death, that

right was inherited by his other children, Manu Musliyar and others. Subsequently, the right thus acquired was transferred to the plaintiff, the second defendant and Abu's son Ali under the Gift deed number 1166/2008 of Thrithala Sub Registrar's Office. Thereafter, the plaint schedule properties were owned and possessed by plaintiff, first and second defendant and Ali. After the death of Ali, his right in the properties were inherited by defendants No.3 to 5 and Faseela as his legal heirs. Later, after the death of Faseela, her right in the property was bequeathed to defendants No.6 to 9 as her legal heirs. Therefore, plaintiff and defendants jointly owned and possessed the plaint schedule properties.

3. Plaintiff has  $\frac{1}{4}$  share, D1 and D2 have  $\frac{1}{4}$  share each and D3 to D9 have  $\frac{1}{4}$  share collectively in the plaint schedule properties. The plaintiff is entitled to get a decree of her  $\frac{1}{4}$  share over the plaint schedule properties in separate possession with cost. Hence the suit.

4. Defendants filed written statement admitting the plaint claim including the share of the parties mentioned in the plaint and requested for a decree allotting their shares as mentioned in the plaint and are ready to remit the court fee pertaining to the allotment of their shares.

5. In the light of the admissions made by the defendants, the plaint claim stands proved and the suit is liable to be decreed.

6. In the result, the suit is decreed as follows :-

1. Plaintiff is entitled to and allotted with  $\frac{1}{4}$  share of the Plaint schedule properties and separate possession.
2. Defendant No.1 and 2 are entitled to and allotted with  $\frac{1}{4}$  share each.

3. Defendant No.3 to 9 are entitled to and allotted with  $\frac{1}{4}$  share collectively.
4. Either of the parties shall be at liberty to file application under Order 20 Rule 18 CPC for appointing a commissioner to divide the property in accordance with the preliminary decree within one month from the date of decree.
5. It is made clear that the allotment of share to the defendants shall be on payment of requisite court fee.
6. Equity and reservation if any shall be worked out in final decree.
7. Costs of the suit shall come out of the estate.

*(Dictated to the Confidential Assistant, typewritten by him and taken print out, corrected and pronounced by me in open court on this Thursday, the 12<sup>th</sup> day of March, 2026).*

**Civil Judge (Senior Division)**

WITNESS EXAMINED AND EXHIBITS MARKED: NIL

**Civil Judge (Senior Division)**

**FAIR JUDGMENT**  
in O.S. No.105/2025  
Dated:12/03/2026