

IN THE COURT OF THE MUNSIFF-MAGISTRATE, PATTAMBI

Present:- Smt.Neema Noor Mohamed, Munsiff-Magistrate

Monday, the 28th day of July, 2025/6th Shravana, 1947 S.E.

ORIGINAL SUIT No.32/2008.

Between:-

Royal Education foundation, Mannaraparambu,
Chalissery P.o, Ottapalam Taluk, Palakkad Dt,
Pin: 679 536, Rep. By its general secretary, : Plaintiff
Ponnani taluk, Kaladi Amsam Kadanchery desom,
K.P. Abdul Asees, S/o Karuthedath parambil Abubacker

And:-

1. Indira, Aged about-40 years, : Defendants
W/o Pallangattil Unnimon, Kappur amsam desam
Ottapalam Taluk, Pallangattuchira, Kappur post.
2. Balan, Aged about-53 years, Masdur, S/o Velayi,
Kandalayil House, Ottapalam Taluk, Kappur amsam
desam, Pallangattuchira, Kappur Post.
3. Rajan, Aged about- 51 years, S/o Kidangil
Velayudhan, Ottapalam Taluk, Kappur amsam desam,
Pallangattuchira, Kappur post.

This suit coming on this day for hearing before me in the presence of Sri.M.K. Moosakutty and Sri.A.A. Jamal, Advocates for the plaintiff and of V.P. Manojkumar Advocate for defendants, and this court on the same day passed the following.

ORDER

Suit for declaration and permanent injunction.

2. Both sides represented . Heard at length over the decision as to proper court fee Under section 12 of the Kerala court Fees and suit valuation Act. On a close analysis of the rival submissions made and perusing the documents and pleadings before court, I find that the plaint schedule property is an agricultural land. The defendant himself pleads in his written statement at para 3, the plaint schedule property

comprises of cashew nut trees. More over the commission report filed on 14-09-2011 also reveals the plot is having cultivation of trees such as cashew nuts and other fruit bearing trees. The document produced by plaintiff also denotes the nature of plot to be 'Parambu.' As rightly pointed out by the learned plaintiff relying on the verdict of Honourable High Court of Kerala in ***Narayanan Nair V/s Dr. Lokeshan Nair 2014(2) KHC 467*** that "Agriculture is an activity in which the person involved there in cultivates the land. Cultivation need not necessarily be paddy cultivation growing coconut trees, Pepper vines, arecanut trees would also be cultivation. If so, such land also would be agricultural land. Hence the plaint schedule property, is to be categorised as 'Agricultural land'. Thus the court fee is payable under section 25(b) Kerala court fee and suit valuation Act. In this matter the court fee is seen paid accordingly within the time stipulated by the Honourable High Court of Kerala.

For steps if any, call on 11-08-2025

Pronounced by me in open court, this the 28th day of July, 2025.

Sd/-
Munsiff.

Witness examined and exhibit marked on both side: NIL

Sd/-
Munsiff.

Copied by : Sulochana.M
Compared by : Briji Mol.K.S.

Munsiff.

(True copy)

Fair/Copy of order in
O. S. No. 32/2008
Dated: 28/07/2025.