

IN THE COURT OF THE MUNSIFF OF ALATHUR
Present:- Sri.Binu.P., Munsiff, Alathur

Tuesday 31st day of March, 2026
(10th day of Chaithra 1948 S.E)

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ORIGINAL SUIT No. 01/2022

Ambujam, aged 66 years, Swastham, W/o Bhaskaran,
residing at sudha Nivas, Kavalathupadam,
Chittilanchery amsam desam, Alathur Taluk.

Plaintiff

Vs.

1. Nakamma, aged 85 years, W/o Vellappan, residing at
Kanjirakolambu, Kavassery amsam desam,
Alathur Taluk (Died)
2. The Kerala State, represented by the District Collector,
Civil Station , Palakkad.
3. The Thahasildhar, Taluk Office , Alathur.
4. The Village Officer, Kavassery 1 Village Office,
Kavassery amsam desam, Alathur Taluk

(Defendant Nos. 2 to 4 are deleted from party array as
per order in IA. 01/ 2026 (627/2026) dated 25/03/2026)

Supplemental

5. Chandran, aged 70 years, S/o Vellappan, residing at
Sruthy House, Sarayu, (Behind Sarayu Company)
Chandra Nagar amsam desam, Palakkad Taluk.
6. Unnikrishnan, aged 65 years, S/o Vellappan, residing
at Kanjirakolambu House, Kavassery amsam desam,
Alathur Taluk. (Died)

Defendants/
Supplemental
Defendants

7. Krishnankutty, aged 63 years, S/o Vellappan, residing at Darsana House, Ayakkad, Vadakkenchery amsam desam, Alathur Taluk.
 8. Viswanathan, aged 50 years, S/o Vellappan, residing at Kanjirakolambu House, Kavassery amsam desam, Alathur Taluk.
 9. Sheeba, aged 45 years, W/o Narayanankutty, residing at Kanjirakolambu House, Kavassery amsam desam, Alathur Taluk.
 10. Thulasi, aged 23 years, S/o Narayanankutty, residing at Kanjirakolambu House, Kavassery amsam desam, Alathur Taluk.
 11. Anupama, aged 21 years, D/o Narayanankutty, residing at Kanjirakolambu House, Kavassery amsam desam, Alathur Taluk.
- (Supplemental defendant Nos. 5 to 11 were amended as per order in IA. 05/2022 dated 17.10.2022)
12. Radha, aged 55 years, W/o Unnikannan, residing at Kanjirakolambu House, Kavassery amsam desam, Alathur Taluk.
 13. Vikram, aged 31 years, S/o Unnikannan, residing at Kanjirakolambu House, Kavassery amsam desam, Alathur Taluk.
 14. Vijitha, aged 27 years, D/o Unnikannan, residing at Kanjirakolambu House, Kavassery amsam desam, Alathur Taluk.
- (Supplemental defendant Nos. 12 to 14 were amendment as per order in IA. 01/2023 dated 03.02.2024)

Defendants/
Supplemental
Defendants

This suit is coming on this day for hearing before me in the presence of Sri.Shibu Shamsudeen. Advocate for plaintiffs and of Sri. A.K. Muhammed Rafi., Advocate for the defendant Nos. 5,7 and 8, Sri. Said Ibrahim Advocate for defendant Nos. 9 to 14 and this Court passed the following.

J U D G M E N T

Suit for declaration and ro mandatory injunction.

2. The plaintiff filed the suit against the defendants seeking declaration declaring that the plaint schedule property is in the absolute ownership and possession of the plaintiff and the cancellation deed No.1987/2016 of SRO, Alathur is null and void and not binding to the right of the plaintiff over the plaint schedule property and also for mandatory injunction directing the defendants 2 to 4 to accept the property tax after cancelling the thandapper account issued in favour of the first defendant. Hence the suit.

3. Originally the plaintiff filed the suit against defendants 1 to 4. Later as per the order in I.A. No.1/2026 dated 25.06.2026 the defendants 2 to 4 were deleted from the party array. Subsequently, the first defendant died and his legal heirs are impleaded as supplemental defendants 5 to 14 and later the supplemental 6th defendant was also reported no more.

4. On 19.03.2026, the plaintiff and supplemental 5, 7 to 14 have submitted that the matter has been settled between them and filed compromise petition as I.A. No. 2/2026 (628/2026) praying to pass preliminary decree in terms of compromise.

4. On going through the compromise petition it can be seen that the plaintiff and the supplemental defendants 5 and 7 to 14 have agreed that the plaintiff schedule property is in their joint right and possession and also agreed to divide the plaintiff schedule properties into seven equal shares. Therefore, it is seen that the matter has been settled out of court and the compromise is recorded since it is legally enforceable. In view of the compromise the preliminary decree is passed.

In the result, preliminary decree is passed in terms of compromise as follows :

- i. Plaintiff schedule properties shall be divided into seven equal shares.
- ii. The plaintiff is entitled to get $\frac{2}{7}$ share by separating the right and possession over plaintiff schedule property,
- iii. The supplemental defendants 5, 7 and 8 are entitled to get $\frac{1}{7}$ share each by separating the right and possession over plaintiff schedule property,
- iv. The supplemental defendants 9 to 11 are entitled to get $\frac{1}{7}$ share together by separating the right and possession over plaintiff schedule property,
- v. The supplemental defendants 12 to 14 are entitled to get $\frac{1}{7}$ share together by separating the right and possession over plaintiff schedule property,
- vi. The presence of the plaintiff and the supplemental defendants 5, 7 to 14 must be ensured at the time of sale and consensus shall be reached as regards the sale consideration of the plaintiff schedule property.

- vii. Any of the parties who shall deposit sufficient court-fee shall be entitled to apply for passing final decree,
- viii. The compromise petition I.A. No.2/2026 (628/2026) shall form part of the decree.
- ix. The costs of suit shall be suffered by respective parties.

Dictated to the Confidential Assistant, transcribed by him, corrected and pronounced by me in open court this the 31st day of March, 2026.

Munsiff

APPENDIX : -NIL

Munsiff

Fair/Copy of Judgment

in O.S.01/2022

Dated : 31.03.2026