

IN THE COURT OF THE MUNSIFF OF ALATHUR

Present:- Sri.K.Sidhik, Munsiff

Tuesday, 8th day of December, 2020
 (17th day of Agrahayana, 1942 S.E)

ORIGINAL SUIT No.289/2012

Koyamu, aged 60 years, Agriculture,
 S/o Mammad Rawther, Residing at
 Marutham thadathil, Kuthannur amsom desom,
 Alathur Taluk

} Plaintiff

Vs.

Moosa, aged 54 years, Agriculture,
 S/o Meerankutty, Residing at Padetti,
 Erimayur amsom desom, Alathur Taluk

} Defendant

This suit is coming on this day for hearing before me in the presence of Sri.M.Alimuthu, Advocates for the plaintiffs and of Sri.G.Shaji and Sri.Titus Joseph, Advocates for defendant and this Court delivered the following.

ORDER Dated 08.12.2020

Order upon interim report filed by the Advocate Commissioner.

2. The Advocate Commissioner filed an interim report. According to the Advocate Commissioner, since the boundaries

shown in the plaint and partition deed bearing No.1653/1951 are not tallying with the present boundaries, plaint schedule properties cannot be identified. It is further reported by the Advocate Commissioner that survey numbers of the plaint schedule properties shown in the said partition deed are different from the survey numbers of plaint schedule properties as per the survey record.

3. The partition deed was in the year of 1951. Now more than 65 years has been elapsed. So, the boundaries in the year of 1951 may not be the present boundaries. The Advocate Commissioner has to try to identify the plaint schedule properties as pointed out by the parties to the suit and in the light of partition deed No.1653/1951, as far as possible. Moreover, in the description portion of the plaint 'A' and 'B' schedule some particulars are seen to have mentioned so as to identify the properties. The eastern, southern and western boundaries of the plaint 'A' schedule has been mentioned as “ 41x17 എന്ന അളവിലുൾപ്പെട്ട സ്ഥലം ”. The plaintiff shall file a memo before the court clarifying what is the property mentioned as “ 41x17 എന്ന അളവിലുൾപ്പെട്ട സ്ഥലം ”.

4. Though the Advocate Commissioner has reported that survey numbers of the plaint schedule properties are different from the survey numbers mentioned in the survey record. But, the report does not reveal what are the survey records perused by the Advocate Commissioner and what are the different survey numbers seen from

that documents. So, the Advocate Commissioner shall produce the survey records upon which he reached at a conclusion as to the difference of survey numbers.

Dictated to Confidential Assistant, transcribed and typed by him, corrected and pronounced by me in open court on this the 8th day of December, 2020.

Munsiff

APPENDIX:-

NIL

Munsiff

Typed by :- Sabitha.M,
Compared by :- Sudha.M.V

Fair/Copy of Order

in O.S.289/2012

Dated :08.12.2020.