

**IN THE COURT OF THE MUNIFF, THIRUVALLA.****Present: Sri. Aravind S.J, Munsiff****Wednesday the 08<sup>th</sup> day of April, 2026/ 18<sup>th</sup> day of Chaithram, 1948 S.E****FDA No.02/2023 in OS. No.357/2016.****BETWEEN:**

Seeja Reghunath, aged 46 years,  
W/o.Reghunath, Kochuzhathil Gokulam,  
Vennikkulam Muri,  
Puramattam Village, Mallappally.

} Petitioner/  
Plaintiff

(By Adv.Sisha K.M)

**AND:**

Amal Sasidharan, aged 34 years,  
S/o.Sasidharan,  
Kochuzhathil Sumalayam,  
Kadapra Muri, Kumbanadu P.O. Koipuram.

} Respondent/  
Defendant

(By Adv.V.C.Sabu)

This petition having been finally heard on 18.03.2026 and stood over for consideration on 08.04.2026 and on the same day the court passed the following:-

**ORDER**

The above numbered applications are filed by the plaintiff for passing a final decree.

2. Petition averments in brief are stated as follows: - The petitioner is the plaintiff in the suit. The suit was filed for partition and a preliminary decree was passed in the suit finding that the plaintiffs are entitled to 1/2 share in the plaint schedule property. A final decree is thus to be passed separating the said share of the petitioner.

3. Notice was duly served on the respondent. The respondent also paid court fee for separating his share in the plaint schedule property.

4. A preliminary decree was passed in the suit finding that the plaintiff and defendant are the co-owners of the plaint schedule property and the parties are entitled to ½ share in the plaint schedule property. The Advocate commissioner and Surveyor deputed in the case filed commission report and survey plan. The same are marked as Ext. C1 and C1(a). The

decree passed would show that the plaint schedule property has an extent of 4.45 ares of property in resurvey no. 180/10 of Koipram village.

5. The plaint schedule property is shown within "ABCDEFGA" letters in Ext C1(a) and is shown to have an extent 4.14 ares. The decree passed would show that there is a residential building in the plaint schedule property. It is reported that the building is in a dilapidated condition and has an age of more than 35 years. It is reported that the respondent is residing in the said house. This fact is not disputed by the petitioner. The petitioner had also sought for allotting a portion of the building to him. This properties are partitioned in such a way that the house is allotted to one share alone. This court is of the opinion that the said division of properties need not be upset for the reason that the petitioner is allotted with 2.12 ares of property whereas the respondent is only allotted 2.02 ares and portion allotted to the petitioner also has road frontage. It would be prudent to pass a final decree in consonance with the existing possession of the building. Moreover, if the house is also partitioned, it would affect the utility of same. The property is partitioned by assessing the value of the property and the building.

6. The plot allotted to the petitioner is shown within "GHEDCBAG" letters and is shown to have an extent of 2.02 ares. The plot allotted to the respondent is shown within "EFGHE" letters and has an extent of 2.02 ares. It is also evident from Ext C1(a) that all the sharers have road access. Having satisfied that the property was partitioned by metes and bounds, this court is inclined to accept the allocation of plots shown in Ext. C1(a) plan and to pass a final decree accordingly.

In the result, final decree is passed as follows:-

- 1. The plot "GHEDCBAG" shown in Ext C1(a) plan having an extent of 2.12 ares comprised in resurvey no. 180/10-1 of Koipram village is allotted to the petitioner. The right, title and interest in respect of the said property be vested with her and he is entitled to possess and enjoy the property as**

**her own.**

- 2. The plot "EFGHE" shown in Ext C1(a) plan having an extent of 2.02 ares comprised in resurvey no. 180/10-1 of Koipram village is allotted to the respondent. The right, title and interest in respect of the said property be vested with her and she is entitled to possess and enjoy the property as his own.**
- 3. Ext C1(a) plan shall form part of the final decree.**
- 4. Necessary stamp value shall be remitted for engrossing final decree as per law. Market value of the plaint scheduled property for the purpose of stamp duty will be the fair value of the property as determined by the State Government from time to time.**
- 4. All the sharers shall proportionately contribute for purchasing stamps for engrossing the final decree. In case, any sharer remits the entire stamp value, that remitter would be entitled to receive equal contribution of share of stamp value from the other coowners.**
- 5. A copy of this judgment shall be transmitted to the S.R.O concerned for entering in the book of records as provided under Section 89 of the Registration Act and Rule 237(2) of the Kerala Civil Rules of Practise.**
- 6. Petitioner and respondent are entitled to file execution applications for getting separate possession upon their respective shares.**

Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court on this the 8<sup>th</sup> day of April, 2026.

Sd  
**ARAVIND S.J.,**  
**MUNSIFF**

**APPENDIX****Court Exhibits:**

1. Ext.C1      17-01-2026      Commission Report prepared and submitted by Advocate Commissioner Adv.Lakshmi S.Nair.
2. Ext.C1(a)      17-01-2026      Survey Plan prepared by K.Vijayakumar, District Survey Superintendent (Rtd.) and submitted by Advocate Commissioner Adv.Lakshmi S.Nair.

Id/-  
**MUNSIF**

Copied by:Ajith.G  
Compared by:

Copy of Order in  
**FDA No.02/2023 in OS. No.357/2016.**  
Dated: 08-04-2026.