

IN THE COURT OF THE MUNSIF RANNY
 Present:-Smt.Lesly Panavila, Munsiff.
Thursday the 12th day of March, 2026
 21st day of Phalguna, 1947 SE

OS. No. 89/2025

Between:-

Varghese.K.T, aged 79 years,	}	
S/o Samuel, Kunnathu Veedu,	}	
Mandiram P.O, Vaikom Muri,	}	
Ranni Village, Ranni Taluk,	}	<u>Plaintiff</u>
Pathanamthitta, Kerala.	}	

(By Adv. P.P.Mohammed Mustapha & Adv. Sandra Susan Binu)

And:-

- | | | |
|---------------------------------------|---|------------------|
| 1. Eleyamma Varghese, @ | } | |
| Eleyamma K Abraham, | } | |
| aged 47 years, W/o Abraham Varghese, | } | |
| Kuruvappathalil Veedu, Edathara P.O., | } | |
| Kumaramperoor Thekkekkara Muri, | } | |
| Vadasserikkara Village, Ranni Taluk. | } | |
| | } | |
| 2. Abraham Varghese, aged 55 years, | } | |
| S/o Varghese, | } | |
| Kuruvappathalil Veedu, Edathara P.O., | } | <u>Defendant</u> |
| Kumaramperoor Thekkekkara Muri, | } | |
| Vadasserikkara Village, Ranni Taluk. | } | |
| | } | |
| 3. Martin Abraham, aged 24 years, | } | |
| S/o Abraham Varghese, | } | |
| Kuruvappathalil Veedu, Edathara P.O., | } | |
| Kumaramperoor Thekkekkara Muri, | } | |
| Vadasserikkara Village, Ranni Taluk. | } | |
| | } | |
| 4. Martina Abraham, aged 21 years, | } | |
| D/o Abraham Varghese, | } | |
| Kuruvappathalil Veedu, Edathara P.O., | } | |
| Kumaramperoor Thekkekkara Muri, | } | |
| Vadasserikkara Village, Ranni Taluk. | } | |

(Set Exparte)

This original suit having been finally heard on 04.03.2026 in the presence of Adv. P.P.Mohammed Mustapha & Adv. Sandra Susan Binu, counsel for plaintiff and defendants set exparte and having stood over for consideration on 12.03.2026, the Court delivered the following:-

JUDGMENT

Suit for Permanent Prohibitory Injunction.

2. The plaint averments, in brief, are as follows:-

Plaint schedule property originally belonged to plaintiff and he was the absolute owner in possession by virtue of Sale Deed bearing No.927/2006 of Ranni SRO. Thereafter he transferred plaint schedule property by virtue of Settlement Deed No.107/2025 of Ranni SRO to his younger daughter one Saramma Jolly George. The property was transferred in favour of the younger daughter, reserving in favour of the father and mother the right to reside in the house situated therein and to enjoy the yield from the property during their lifetime. Plaintiff's wife died on 01.06.2025. Thereafter plaintiff is residing in the plaint schedule property under the care of his younger daughter who is residing in USA. Defendant No.1 is the elder daughter of the plaintiff and defendants No.2 to 4 are the

husband and children of defendant No.1. Defendant No.1 got her share at the time of her marriage and defendant No.3 received Rs.7,00,000/- each from plaintiff and his younger daughter for her educational purpose. Defendants already have information about the execution of the abovesaid settlement deed by plaintiff in favour of his younger daughter as the defendant No.1 has already got her share. Defendant No.1 can't claim right over the plaint schedule property. On 12.06.2025 defendants trespassed into plaint schedule property and tried to manhandle plaintiff demanding their share over the plaint item property following which plaintiff has launched a complaint before SHO, Ranny Police Station on 19.06.2025. On 27.06.2025 defendant No.4 trespassed into plaint schedule property and tried to evict plaintiff from the plaint schedule property. Plaintiff is entitled to restrain defendants from committing the above said illegal act. **Hence, the suit.**

3. Though, summons were served to the defendants, the defendants remained absent and this Court decides to proceed against them *exparte*. The suit was, then, posted for plaintiff's evidence.

4. From the side of the plaintiff, PW1 was examined and Exts.A1 to A4 and Ext.C1 (series) were marked.

5. Heard the learned counsel for the plaintiff and meticulously perused the records.

6. PW1 filed affidavit in-lieu of examination-in-chief which reiterated the averments in the plaint. Ext.A1 is the Certified copy of Settlement Deed bearing No.107/2025 of Ranni SRO which shows that plaintiff's younger daughter is the owner of the plaint item property. Ext.A2 is the tax paid receipt which shows that plaint schedule property is mutated in the name of younger daughter of plaintiff. Ext.A4 is the receipt of acknowledgment of complaint.

7. Ext.C1 (series) is the report prepared and filed by the Advocate Commissioner. The report states that plaintiff is residing in the plaint schedule building, which seems to be 15 years old. Since plaintiff is in uninterrupted possession of plaint schedule property, the unchallenged evidence of PW1 and Exts.A1 to A4 & Ext.C1 (series) proves the case of the plaintiff.

Hence, the suit stands decreed. Defendants No.1 to 4 and men under them are hereby restrained from

trespassing into plaint schedule property, from interfering with plaintiff's peaceful possession of the plaint schedule property and from committing any acts of waste or mischief in the plaint item property and in its residential building. Considering the relationship between parties, there is no order as to costs.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 12th day of March, 2026.

Sd/-
LESLY PANAVALA
MUNSIFF

APPENDIX

Exhibits marked on the side of Plaintiff:-

A1	-	29.01.2025	-	Certified copy of settlement deed No. 107/2025 of SRO, Ranni.
A2	-	09.06.2025	-	Tax Receipt No. KL03040703945/2025 of Ranni Village Office.
A3	-	20.09.2024	-	Receipt No. 1240400446 of Ranni Grama Panchayath.
A4	-	19.06.2025	-	Receipt of Acknowledgement.

Exhibits marked on the side of defendants - NIL.

Court Exhibits:-

C1 (Series)

- C1 - 05.07.2023 - Commission Report prepared by Adv. Binu.R, Commissioner Advocate.
- C1(a) - 05.07.2023 - Mahazar prepared by Adv. Binu.R, Commissioner Advocate.
- C1(b) - 05.07.2023 - Rough sketch prepared by Adv. Binu.R, Commissioner Advocate.

Witness Examined on the side of Plaintiff:-

PW1 - 12.12.2025 - Varghese.K.T.

Witness Examined on the side of defendants:- - NIL.

Sd/-
MUNSIFF

Typed by : Mayamma.M.R.
Compared by : Sobhana

FAIR/COPY OF JUDGMENT
IN OS NO. 89/2025,
DATED: 12.03.2026.