

IN THE COURT OF THE DISTRICT JUDGE, THRISSUR

Present:

Sri. P.P. Saidalavi., District Judge.

Monday, the 15th day of September, 2025/24th Bhadram, 1947 S.E.

I.A. 01/2025 in TOP 267/2025

Petitioners:-

1. Thankammu@ Ammini, aged 86 years,
W/o Kodavam Parambil Kesavan, Kothachira
desom and P.O., Nagalasseri Village, Ottapalam Taluk, Pin-679 535.
2. Narayanan(Died),
S/o Thumbipurath Veettil Krishnan, Desamangalam P.O.,
Thalasseri Village, Thalapilly Taluk, Pin-679 532.
3. Parameswaran, (Mental Patient), aged 64 years,
S/o Thumbipurath Veettil Krishnan, Desamangalam P.O.,
Thalasseri Village, Thalapilly Taluk, Pin-679 532,
Rep. by Guardian and Son Dhanesh, aged 20 years,
S/o Thumbipurath Veettil Parameswaran, Desamangalam P.O.,
Thalasseri Village, Thalapilly Taluk, Pin-679 532.
4. Viswambharan, aged 63 years,
S/o Thumbipurath Veettil Krishnan, Desamangalam P.O.,
Thalasseri Village, Thalapilly Taluk, Pin-679 532.
5. Madhavan, aged 59 years,
S/o Thumbipurath Veettil Krishnan, Desamangalam P.O.,
Thalasseri Village, Thalapilly Taluk, Pin-679 532.
6. Govindankutty, aged 55 years,
S/o Thumbipurath Veettil Krishnan, -do-
7. Rajamma, aged 54 years,
D/o Thumbipurath veettil Damodaran,
Desamangalam Village and P.O., Thalappilly Taluk, Pin-679 532.
8. Muraleedharan, aged 49 years,
S/o Thumbipurath veettil Damodaran, -do-
9. Savithri, aged 70 years,
W/o Thumbipurath Veettil Narayanan, Desamangalam P.O.,
Thalasseri Village, Thalapilly Taluk, Pin-679 532.
10. Shibu, aged 40 years,
S/o Thumbipurath Veettil Narayanan, -do-
11. Raveendran@ Ramesh, aged 37 years,
S/o Thumbipurath Veettil Narayanan, -do-
12. Geetha, aged 43 years,
D/o Thumbipurath Veettil Narayanan, Desamangalam P.O.,

Thalasseri Village, Thalapilly Taluk, Pin-679 532 and
W/o Kakkulath Mukundan, Kuttancheri desom and P.O.,
Thalapilly Taluk.

By Adv.T. Prakash Kumar

Respondents:-

1. Leela, aged 80 years,
W/o Thumbipurath Veettil Raghavan,
Desamangalam Village, desom and P.O.,
Thalapilly Taluk, Pin-679 532.
2. Haridas, aged 58 years,
S/o Thumbipurath Veettil Raghavan, -do-
3. Ramani, aged 56 years,
D/o Thumbipurath Veettil Raghavan, -do-
4. Geetha, aged 54 years,
D/o Thumbipurath Veettil Raghavan, -do-
5. Suresh, aged 52 years,
D/o Thumbipurath Veettil Raghavan, -do-
6. Vimala, aged 50 years,
D/o Thumbipurath Veettil Raghavan, -do-
7. Nandini, aged 48 years,
D/o Thumbipurath Veettil Raghavan, -do-
8. Saradha, aged 57 years,
D/o Thumbipurath Veettil Krishnan,
Thalasseri village and desom, Desamangalam P.O., Thalasseri
Village, Thalapilly Taluk, Pin-679 532.
9. Pushpavathi, aged 53 years,
D/o Thumbipurath Veettil Krishnan, -do-
10. Sukumaran (Died),
S/o Thumbipurath Veettil Raghavan, -do-
11. Narayanan, aged 63 years,
S/o Kolaparambil Krishnankutty,
Arangottukara desom and P.O.,
Ezhumangad Village, Thalappilly Taluk, Pin-679 532.
12. Nishi, aged 42 years,
D/o Kolaparambil Narayanan, -do-
13. Sheeja, aged 40 years,
D/o Kolaparambil Narayanan, -do-
14. Krishnankutty, aged 38 years,
S/o Kolaparambil Narayanan, -do-

15. Chandramathi, aged 68 years,
D/o Kolaparambil Krishnankutty, -do-
16. Premakumari, aged 64 years,
D/o Kolaparambil Krishnankutty, -do-
17. Rathnam, aged 59 years,
D/o Kolaparambil Krishnankutty, -do-
18. Mohanan, aged 58 years,
S/o Thumbipurath veettil Damodaran,
Desamangalam Village, desom and P.O.,
Thalappilly Taluk, Pin-679 532.
19. Bhasura, aged 56 years,
S/o Thumbipurath veettil Damodaran,-do-
20. Sreenivasan, aged 52 years,
S/o Thumbipurath veettil Damodaran,-do-
21. Sasikumar, aged 62 years,
S/o Perumbale Kumaran, -do-
22. Sandhya, aged 39 years,
D/o Thumbipurath Veettil Sukumaran,
Thalasseri village and desom, Thalappilly Taluk,
Desamangalam P.O., Pin-679 532 and W/o Santhosh,
Kothod Veettil, Porkulangad P.O., Kunnankulam Taluk.
23. Sandeep T.S., aged 36 years,
S/o Thumbipurath Veettil Sukumaran,
Thalasseri village and desom, Thalappilly Taluk,
Desamangalam P.O., Pin-679 532

This Petition is coming on this day for hearing, the Court passed the following:-

ORDER

This is a petition under Section 151 of Civil Procedure Code with a prayer to stay the proceedings in O.S.60/2021 pending before Munsiff Court, Wadakkanchery.

2. The brief statement of facts are, the petitioners are the petitioners in TOP 267/2025. It is contended that O.S.60/2021 pending before Munsiff Court, Wadakkanchery and O.S.27/2021 pending before Principal Sub Court, Thrissur are to be jointly tried for the reason that subject matter, parties in both petitions

are one and the same and the nature of the evidence to be adduced by the parties are one and the same, so outcome of one suit will affect the outcome of the other petition.

3. I have heard counsel for the petitioners and perused the averments in the transfer O.P. and the grounds mentioned therein. Upon hearing the learned counsel for the petitioners and upon perusing the records this court of the view that if the proceedings in O.S.60/2021 pending before Munsiff Court, Wadakkanchery is proceeded it will cause much harm to the petitioners and other parties in both petitions. Therefore to avoid conflicting decision based on same set of evidence at this stage *prima facie* I found reasonable grounds to invoke Section 24 of C.P.C. Therefore if the proceedings in O.S.60/2021 pending before Munsiff Court, Wadakkanchery is proceeded the transfer O.P. itself may become infructuous.

4. Therefore for the interest of justice the proceedings in O.S.60/2021 pending before Munsiff Court, Wadakkanchery is stayed for a period of three months. It is hereby specified that commencement of trial alone is stayed but pre-trial proceedings are not stayed. Hence both courts are at liberty to proceed with pre-trial steps.

Issue notice to the respondents and for their appearance on 21.11.2025.

(Dictated to the Personal Assistant, transcribed by her, corrected by me and pronounced in open court on this the 15th day of September, 2025).

sd/-

**P. P. SAIDALAVI,
DISTRICT JUDGE.**

//True copy//

By order,

Copied by:jg
Compared by: pbs

Sheristadar