

**IN THE COURT OF THE MUNSIFF, IRINJALAKUDA**  
**Present: Smt. Abeena C. H., Additional Munsiff**  
**Tuesday, 31<sup>st</sup> day of March, 2026/ 10<sup>th</sup> Chaithra 1948**

**E.P. 2744/2018 in OS. 1301/2018**

**Decree Holders:-**

1. Diety, Pazhedath Sreekrishna Temple, rep.by Shebait, Narayanan Namboothiri, 50 years, S/o Mangalath Azhakath Neelakandan Namboothiri, Azhakam Desom, Kodakara Village, Mukundapuram Taluk.
2. Narayanan Namboothiri, 50 years, S/o Mangalath Azhakath Neelakandan Namboothiri, Azhakam Desom, Kodakara Village, Mukundapuram Taluk.  
By Adv. P. R. Neelakandan Namboothiri

**Judgment Debtors:-**

1. Radhalakshmi, 58 years, D/o Narayana Pisharadi, Pazhedath Devivilasam, Azhakam Desom, Kodakara Village and P.O, Mukundapuram Taluk.
2. Unnikrishnan, 55 years, S/o Narayana Pisharadi, Pazhedath Devivilasam, Azhakam Desom, Kodakara Village and P.O, Mukundapuram Taluk.
3. Rajeevkumar, 47 years, S/o Pazhedath Devivilasam Ramadevi, Azhakam Desom, Kodakara Village and P.O, Mukundapuram Taluk.
4. Santhoshkumar, 45 years, S/o Pazhedath Devivilasam Ramadevi, Azhakam Desom, Kodakara Village and P.O, Mukundapuram Taluk.
5. Satheeshkumar, 40 years, S/o Pazhedath Devivilasam Ramadevi, Azhakam Desom, Kodakara Village and P.O, Mukundapuram Taluk.

6. Rameshkumar, 39 years, S/o Pazhedath Devivilasam Ramadevi, Azhakam Desom, Kodakara Village and P.O, Mukundapuram Taluk.
7. James, 67 years, S/o Panthallukaran Lonappan, Kodakara Village, Desom, Mukundapuram Taluk.  
JD1 By Adv. V. G. Subash Chandra Babu  
JD7 By Adv. M. I. Antony

This petition coming on 31.03.2026 for hearing and the court delivered the following:-

**ORDER**

This execution petition was filed for delivery of the decree schedule property having an extent of 16.5 cents allotted to decree holder temple. When delivery was initially attempted, the Judgment Debtor (JD) raised objections contending that an appeal was pending against the judgment. However, since mere pendency of an appeal is not a ground to stay execution in the absence of any stay order, and as no such stay was produced by the JD, the decree was found executable. Thereafter, the Amin was deputed to effect delivery. However, delivery could not be effected due to obstruction caused by the JD and difficulty in securing access to the property. In order to ascertain the cause of obstruction, an enquiry was conducted, during which PW1 to PW3 were examined and Exts.A1, C1, C1(a) were marked. Upon conclusion of the enquiry, it was found that the obstruction was caused by a newly constructed boundary wall on the eastern side of the property,

evidently put up to prevent delivery. Consequently, this Court directed the Amin and the Advocate Commissioner to cut open the said boundary wall to facilitate access and effect delivery. Subsequently, the Amin was directed to remove the obstruction and the assistance of the Village Officer was also provided for proper identification of the property. In the meantime, the Decree Holder produced a Final Decree in I.A. No.17/2020 in O.S. No.95/2014, wherein the decree schedule property was clearly identified and demarcated. Pursuant thereto, the Amin was again deputed to effect delivery with the aid of the final decree, and delivery was successfully effected. Hence, the execution petition is closed as fully satisfied.

(Dictated to the confidential assistant, transcribed and typed by her, corrected by me and pronounced in open court on this the 31<sup>st</sup> day of March, 2026).

Sd/-

**Abeena C. H**  
**Additional Munsiff**

**A P P E N D I X:-**

**Decree Holders Witness:-**

PW1 13.12.2024	Adv. Sruthi Keerthi T. G
PW2 13.12.2024	Meera Raphael Cheenath
PW3 12.12.2024	Sini K. B

**Decree Holders Exhibits:-**

A1 Delivery Warrant

**Judgment Debtors Witness:-** Nil

**Judgment Debtors Exhibits:-**

**Court Exhibits:-**

C1 & C1(a)

Commission Report submitted by  
Adv. Sruthi Keerthi dated 31.08.2022 &  
18.11.2023.

Sd/-

**Additional Munsiff**

**//True copy//**

**Additional Munsiff**

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Order in EP 2744/2018  
in OS 1301/2008  
Dated 31.03.2026