

IN THE COURT OF THE MUNSIFF, KODUNGALLUR.

Present:- Smt.Karthika.K., Munsiff.

Tuesday, the 31<sup>st</sup> day of March, 2026/ 10<sup>th</sup> Chaithram, 1948.

**O.S.1092/2021**

**Plaintiffs:-**

1. Sathyabama, Aged 60 years, W/o.Peedikaparambil Rajan, East Side of Thandakulam, Lokamaleswaram Village and Desom, Kodungallur Taluk.
2. Sanesh, Aged 38 years, S/o.Peedikaparambil Rajan, East Side of Thandakulam, Lokamaleswaram Village and Desom, Kodungallur Taluk.
3. Sandhya, Aged 39 years, D/o.Peedikaparambil Rajan, East Side of Thandakulam, Lokamaleswaram Village and Desom, Kodungallur Taluk.

By Adv.K.P.Manoj & M.B.Ajayakumar

**Defendants:-**

1. Sundaran, Aged 75 years, S/o.Peedikaparambil Kunjandi, Methala Village and Desom, Kodungallur Taluk.
2. Unnikrishnan, Aged 70 years, S/o.Peedikaparambil Kunjandi, Methala Village and Desom, Kodungallur Taluk.
3. Pradeepan, Aged 55 years, S/o.Peedikaparambil Kumaran, Methala Village and Desom, Kodungallur Taluk.
4. Satheesan, Aged 50 years, S/o.Peedikaparambil Kumaran, Methala Village and Desom, Kodungallur Taluk.
5. Vasanthi, Aged 60 years, D/o.Peedikaparambil Kumaran, Methala Village and Desom, Kodungallur Taluk.
6. Girija, Aged 48 years, D/o.Peedikaparambil Kumaran, Methala Village and Desom, Kodungallur Taluk.
7. Jalaja, Aged 50 years, W/o.Peedikaparambil Jayachandran, Methala Village and Desom, Kodungallur Taluk.
8. Akhil, Aged 28 years, S/o.Peedikaparambil Jayachandran, Methala Village and Desom, Kodungallur Taluk.

9. Athira, Aged 21 years, D/o.Peedikaparambil Jayachandran, Methala Village and Desom, Kodungallur Taluk.

Exparte

This suit coming on this day for hearing before me, the court on the same day passed the following:

### **JUDGMENT**

#### **Suit is one for partition.**

2. **The plaint averments in brief is as follows:-** The plaint schedule property belonged to plaintiffs father Rajan, his brothers Sundaran, Unnikrishnan and his uncle's son Kumaran vide O.A.1890/1970 of Land Tribunal, Kodungallur. The said Rajan died before six years, the plaintiffs are the wife and children of Rajan. One of the joint property owner named Kumaran died before 35 years. Son of Kumaran named Jayachandran died 10 years ago. The defendants 7 to 9 are the wife and children of late Jayachandran. The defendants 3 to 6 are the children of late Kumaran. The defendants 1 and 2 are the joint property owners of the plaint schedule property named Sundaran and Unnikrishnan. The defendants 1 and 2 obtained  $\frac{1}{4}$  share in the plaint schedule property. The plaintiffs together obtained  $\frac{1}{4}$  share in the plaint schedule property. The defendants 3 to 9 together obtained  $\frac{1}{4}$  share in the plaint schedule property. The plaintiffs and defendant are Hindus and they are governed by Hindu Succession Act. The family of defendants 3 and 7 are residing in the

title house situated in the plaint schedule property. The defendants 3, 7, 8 & 9 are managing and possessing the plaint schedule property on behalf of other co-owners also. The plaintiffs obtained  $\frac{1}{4}$  share in the house situated in the plaint schedule property. Even though the plaintiffs requested the defendants to partition the plaint schedule property and to allot their separate share the defendants did not heed to the request of the plaintiffs. Hence the suit.

3. The defendants remained absent and they were set *ex parte*.

4. The 1st plaintiff was examined as PW1 and he filed proof affidavit. Exts. A1 to A4 documents were marked from the side of the plaintiff. Exts. C1 & C1(a) were also marked.

5. Heard counsel for the plaintiff.

6. Ext.A1 is the purchase certificate bearing No. O.A.1890/1970 of Land Tribunal, Kodungallur . Ext.A2 is the certified copy of certificate of purchase of Kudikidappu. Ext.A3 is the tax receipt dated 10.6.2025 issued from Lokamaleswaram village and Ext. A4 is the another tax receipt dated 26.10.2021 issued from Lokamaleswaram village . Ext.C1 is the commission report dated 28.12.2021 and Ext.C1(a) is plan which would show the lay and lie of the plaint schedule property. The plaintiffs have proved their case from Exts. A1 to A4 documents and Exts. C1 & C1(a). Since the

defendants did not give any contra evidence the plaintiffs evidence remain unrebutted. Hence the plaintiffs are entitled to get a decree as prayed for.

**In the result, the suit is decreed and a preliminary decree is passed as follows:-**

**1. The entire plaint schedule property is divided into 4 equal shares by metes and bounds out of which 1/4 share is allotted to the separate possession of plaintiffs.**

**2. The defendants 1 & 2 each are entitled for 1/4 share in the plaint schedule property.**

**3. The defendants 3 to 9 together are entitled for 1/4 share in the plaint schedule property.**

**4. Share of defendants shall be allotted to them on payment of requisite court fee.**

**5. Any of the parties can file an application for passing the final decree.**

**6 Cost of the suit shall come out of the estate.**

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

Sd/-  
KARTHIKA.K,  
MUNSIFF.

APPENDIXPlaintiff's Exhibits:

- A1 - 08.05.1970 - Purchase certificate Bearing  
No.O.A.1890/1970 of Land Tribunal,  
Kodungallur.
- A2 - 08.05.1970 - Certified Copy of Certificate of  
Purchase of Kudikidappu.
- A3 - 10.06.2025 - Tax Receipt
- A4 - 26.10.2021 - Tax Receipt

Defendant's Exhibits:

- Nil.

Court Exhibits :

- C1 - 28.12.2021 - Commission Report
- C1(a) - 28.12.2021 - Rough Sketch

Plaintiff's Witness:

- PW1 - 24.03.2026 - Sanesh

Defendant's Witness:

- Nil.

Copied by: pn

Compared by:

/True Copy/

Id/-  
MUNSIFF.