

IN THE COURT OF MUNSIFF, WADAKANCHERY

Present:- Sri. Yahya. T.K., Munsiff

Wednesday, the 2nd day of April, 2025/ 12th Chaithram 1947 SE

I.A. 06/2024 AND I.A. 07/2025 IN O.S. 336/2021

I.A. 06/2024

Petitioners/ Plaintiffs:

1. Ayyappan, aged 74 years, S/o Kodappani Kunjan,
Peringandur Village and Desam, Talappilly Taluk.
2. Padamvathi, aged 64 years, W/o Kodappani Ayyappan,
Peringandur Village and Desam, Talappilly Taluk.

By Adv. P. C. Eldon.

Respondents/Defendants:

1. Ramankutty, aged 71 years, Kolanchery Veetil,
Peringandur Village and Desam, Talappilly Taluk.
2. Karthyayani, aged 66 years, W/o Kolanchery Veetil Ramankutty,
Peringandur Village and Desam, Talappilly Taluk.
3. Vinod, aged 48 years, S/o Kolanchery Veetil Ramankutty,
Peringandur Village and Desam, Talappilly Taluk.
4. Latha, D/o Kolanchery Veetil Ramankutty,
Peringandur Village and Desam, Talappilly Taluk.

By Adv. Vishnudev. P.

I.A. 07/2025

Petitioners/ Counter claim Plaintiffs:

1. Ramankutty, aged 75 years, Kolanchery Veetil,

Peringandur Village, Post and Desam, Talappilly Taluk,
Pin Code: 680 581.

2. Karthyayani, aged 70 years, W/o Kolanchery Veettil Ramankutty,
Peringandur Village, Post and Desam, Talappilly Taluk,
Pin Code: 680 581.
3. Vinod, aged 48 years, S/o Kolanchery Veettil Ramankutty,
Peringandur Village, Post and Desam, Talappilly Taluk,
Pin Code: 680 581.
4. Latha, D/o Kolanchery Veettil Ramankutty,
Peringandur Village, Post and Desam, Talappilly Taluk,
Pin Code: 680 581.

By Adv. Vishnudev. P.

Respondents/ Counter Claim Defendants:

1. Ayyappan, aged 75 years, S/o Kodappani Kunjan,
Peringandur Village, Post and Desam, Talappilly Taluk,
Pin Code: 680 581.
2. Padamvathi, aged 68 years, W/o Kodappani Ayyappan,
Peringandur Village, Post and Desam, Talappilly Taluk,
Pin Code: 680 581.

By Adv. P. C. Eldon.

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

COMMON ORDER

These are two rival applications one filed by plaintiffs and the other filed by counter claimants for appointment of a Survey Commission and

the other for conducting a local inspection by the Advocate Commission.

2. **Summary of both applications** ; In order to fix the boundary of plaint schedule property, appointment of a Survey Commission is necessary. Hence it is prayed for I.A.06/2024 that a Joint Survey Commission may be appointed. It is stated in I.A. 07/2025 that in order to bring certain aspects regarding the counter claim schedule properties, it is necessary to have a local inspection by an Advocate Commission. Hence it is prayed for I.A. 07/2025 that the commission application may be allowed.

3. Respondents in both applications filed counter objecting the prayer sought by other party. However, it was submitted at the time of hearing of both applications that a Joint Survey Commission can be deputed for conducting survey and also for conducting local inspection. Needless to say that both applications are to be allowed. Further discussion is unwarranted.

In the result, both applications are allowed as follows ;

1. **Adv. Shabana.K.A and Surveyor Sri. Soman are appointed as Joint Survey Commission.**
2. **The Joint Survey Commission is deputed to conduct survey in the suit properties as per title deeds of rival parties and also based on revenue records.**
3. **The Advocate Commission shall also conduct a local inspection in respect of the matters pointed out in I.A. 07/2025.**
4. **Commission Batta is fixed at Rs. 4,000/- and Surveyor Batta is fixed at Rs. 3,500/-. Batta shall be equally shared by petitioners in both applications.**

For Commission Report – 07.06.2025.

(Dictated to Confidential Assistant, transcribed by her, corrected and pronounced by me in the open court on this the 2nd day of April, 2025)

Sd/-
YAHYA. T. K.
MUNSIFF

Appendix:Nil

Id/-
MUNSIFF