

**In the Court of the Principal Munsiff, Nedumangad**

**Present:- Smt. Radhika S Nair, Principal Munsiff.**

**Tuesday 31<sup>st</sup> March, 2026/ 10<sup>th</sup> Chaithra, 1948**

**FDA 02/2022 in OS. No. 945/2012**

**Petitioner/ Addl. 6<sup>th</sup> Defendant:-**

Torry, S/o. Elyasan, Sankalpa, Russelpuram,  
Maranalloor village, Neyyattinkara.  
(And others).

**(By Adv.: Sri. K. P. Gopalakrishna Pillai)**

**Respondent/Plaintiff:-**

Beena, D/o. Santha, Beena Bhavan,  
Anappara, Vithura village.

**(No representation)**

This petition is having been heard on 31.03.2026 and the court on the same day passed the following:

**ORDER**

This application has been filed by the petitioner/ Additional 6<sup>th</sup> defendant in the original suit for passing final decree, on the basis of the preliminary decree passed on 10.10.2018 and to get separate possession of the shares allotted.

2. As per the preliminary decree, the plaintiff is entitled to 1/4 share, the first and the additional sixth defendant are jointly entitled to 2/4<sup>th</sup> share and the defendants 2 to 4 are jointly entitled to 1/4<sup>th</sup> share.

3. Notice was served to the respondents.

4. R2 to R4 filed objection contending that the plaintiff alone has no right over the entire road frontage to the 1/4<sup>th</sup> share declared in her favour. It is also contended that all the shareholders are entitled to get road frontage to their respective plots allotted to them.

5. For the purpose of this I.A, an advocate commissioner and surveyor were appointed to measure out the plaint schedule property and to divide the shares allotted to the parties. The commission report and plan were produced before the court on 12.03.2026. No objection has been filed by both parties, to the report and plan. As there was no objection to the commission report and plan, the report and plan are accepted and are marked as Ext. C1 and C1(a).

6. Heard both sides.

7. The advocate commissioner has reported that the present extent of the decree schedule property, comprised in re survey No.233/9 is 32.78 Ares equivalent to 81 cents. The property is shown in Ext.C1(a) plan by letters 'AMCDENIHKA'. The 2/4<sup>th</sup> share of the plaintiff and the defendants 2 to 4, having an extent of 16.39 Ares equivalent to 40.500 cents is shown by letters MCDENM in red shade and 2/4<sup>th</sup> share of the first and additional 6<sup>th</sup> defendant having an extent of 16.39 Ares equivalent to 40.500 cents is shown by letters AMNFHKM1A in blue shade in Ext.C1(a). 'MN' line is the boundary line separating the properties. As per Ext.C1(a), there is road frontage to both properties.

8. No objection was filed regarding the allotment of shares in the Ext.C1(a) plan. Hence, a final decree is passed in the following terms.

**In the result, final decree is passed as follows: -**

(i) The plot having an extent of 16.39 Ares shown by letters AMNFHKM1A in blue shade in Ext.C1(a) plan is separated and allotted to the first and additional 6<sup>th</sup> defendant.

(ii) The plot having an extent of 16.39 Ares shown by letters MCDENM in red shade in Ext.C1(a) plan is separated and allotted to the plaintiff and the defendants 2 to 4.

(iii) Ext.C1(a) shall form part of the decree.

(iv) The parties shall deposit the requisite amount for purchasing the non-judicial stamp paper for engrossing final decree in proportion to the value of the share within 30 days from today. The copy of the same shall be forwarded to the S.R.O concerned as per rules. If the amount is not deposited the records shall be consigned to the record room.

(v) The cost of the proceedings shall be borne by the parties.

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

Sd/-  
RADHIKA.S.NAIR,  
PRINCIPAL MUNSIFF.

**APPENDIX:-**

**Court Exhibits:**

C1	dated: 12..03..2026	Commission Report filed by Adv. Commissioner Akhil S
C1(a)	dated: 12..03..2026	Plan prepared by Surveyor Krishnankutty

Id/-  
PRINCIPAL MUNSIFF

//True Copy//

PRINCIPAL MUNSIFF

**TRUE COPY OF**  
**ORDER IN FDA No. 02/2022**  
**IN OS.No. 945/2012**  
**DATED: 31.03.2026**