

**IN THE COURT OF THE SUB JUDGE, ATTINGAL
PRESENT: SRI. NOBEL D.S., SUB JUDGE, ATTINGAL
SATURDAY 6th APRIL 2024/17th CHAITHRA 1946**

IA 1/2024 in OS 41/2024

Plaintiff/Petitioner:

Ashraf. M, aged 68 years, S/o Mohamadali, residing at
Manaluvila Veedu, Mudapuram P.O, Kizhuvilam Village,
Chirayinkeezhu Taluk, Thiruvananthapuram (Dist)

By Adv. Sri. M. Althaf

Defendants/Counter Petitioners:-

1. Ajeesh. P, aged 44 years, S/o Late Appukuttan. P, residing at Roadarikathil Veedu, Melarimoodu, Kamukincode, Maranelloor P.O, Veliyamcode, Maranalloor Village, Thiruvananthapuram (Dist).
2. Ajitha Rani. P, aged 38 years, D/o Late Appukuttan. P, residing at Roadarikathu Veedu, do.....do.....
3. Asha Rani. P, aged 39 years, D/o Late Appukuttan. P, residing at do.....do.....

This attachment petition is coming on for hearing on 6th April, 2024 and the court on the same day passed the following.

ORDER

1. This is a petition filed under Order XXXVIII Rule 5 of Code of Civil Procedure, 1908 for attachment of the attachment schedule property before judgment.
2. Heard the counsel for the petitioner/plaintiff.

3. Perused the plaint and affidavit filed in support of this application and documents filed.

4. I am satisfied from the records on file that the counter-petitioners/defendants with intent to obstruct the execution of any decree that may be passed against them are about to dispose of Plaint A schedule property belonging to them. I am of the opinion that issuance of notice in this petition would defeat the purpose of this petition. Hence, the counter-petitioners/defendants are directed either to furnish security for the sum of Rs.14,79,500/- (Rupees Fourteen lakh Seventynine thousand and Five hundred only) equal to the value of the plaint claim or to produce and place at the disposal of this court, when required, the said property or the value of the same or to appear and show cause why they should not furnish security for the said sum. There shall be a conditional attachment of the Plaint A schedule property. Issue notice to the counter-petitioners/defendants and communicate a copy of this order to them.

5. Communicate a copy of this order to the Sub-Treasury Attingal.

6. For return of notice issued to the counter-petitioners/defendants, the case is posted to 07-06-2024.

(Dictated to C.A, transcribed and typed by him, corrected and pronounced by me in Open Court, on this the 6th day of April 2024).

Sd/-
NOBEL.D.S,
SUB JUDGE, ATTINGAL.

APPENDIX:- NIL

SUB JUDGE

Typed by: Aseena.A
Compared by:

Copy of Order in I.A.1/2024 in O.S .41/2024

Dated: 07.04.2024