

**IN THE COURT OF THE MUNSIF ATTINGAL.
PRESENT: SRI. SANTHOSH KUMAR.N, MUNSIF
THURSDAY 17th NOVEMBER, 2022/ 26th KARTHIKA 1944**

IA 01/2022 in OS.316/2022

Petitioner/ Plaintiff:-

William, S/o Antony, aged 55 years, residing at Theruvil Thaivilakathu
Veedu, Puthukurichy P.O, Kadinamkulam Village,
Thiruvananthapuram, Kerala, PIN- 695303

By Adv. Sri. A .Nissam Kaniyapuram.

Counter Petitioner/ Defendants:-

1. Nakshathram, W/o Davidson, aged 60 years, residing at Theruvil
Thaivilakathu Veedu, Puthukurichy P.O, Kadinamkulam Village,
Thiruvananthapuram, Kerala, PIN- 695303
2. Louis, aged 30 years, S/o Davidson, aged 60 years, residing at Theruvil
Thaivilakathu Veedu, Puthukurichy P.O, Kadinamkulam Village,
Thiruvananthapuram, Kerala, PIN- 695303
3. Lyjia, aged 35 years, W/o Xavior, residing at Theruvil Thaivilakathu
Veedu, Puthukurichy P.O, Kadinamkulam Village,
Thiruvananthapuram, Kerala, PIN- 695303

By Adv. Sri. L.Satheesh

This petition filed by the counsel for plaintiff temporary injunction
petition having been finally heard on 17.11.2022 and the court on the same day
passed the following:-

ORDER

Heard both parties. At the bar both counsel agreed in deputing a
fresh commission to ascertain the availability of another pathway from the west
to plaint A schedule property. The commissioner is deputed as per order in
IA.3/2022. The matter is adjourned for report on 12/12/2022. In the preliminary
hearing it has been convinced that the petitioner has made a prima facie case.

The Ext.A1 document contain recitals of a pathway. The Commission report also approves the existence of B schedule pathway. Though the respondent was examined the Advocate commissioner, nothing has brought out to rule out the existence of B schedule pathway. In the circumstance the petition is allowed. The respondent/ defendant is directed not to obstruct the B schedule pathway till the commissioner file the fresh report. A detailed order will be passed in the matter after the commissioner filing the fresh report.

Sd/-
SANTHOSH KUMAR.N
MUNSIFF

Appendix:- Nil

Id/-
MUNSIFF

// True copy//

Typed by: Sheena.K
Compared by: sb

MUNSIFF