

IN THE COURT OF THE DISTRICT JUDGE,
THIRUVANANTHAPURAM

PRESENT : SMT. NAZEERA. S, DISTRICT JUDGE

Monday, the 14th day of July, 2025/ 23rd day of Ashadam, 1947

OP(TP) No.186/2024

(O.S.No.136/2018 pending before the Additional Munsiff Court, Nedumangad and
O.S.No.141/2018 pending before the Principal Munsiff Court, Nedumangad)

Petitioner :-

Pramod, aged 33 years, S/o Mohanan
residing at M.C. Bhavan, P.S. Nagar,
Netta, Nedumangad P.O, Nedumangad Village,
Nedumangad Taluk, Thiruvananthapuram District.

**By Advocates:- S. Vijayakumaran, Abhilash .N, Hashmi V.Z,
Goutham V.Z, Revathi M.S, Akhila Aji and
Archana R. Thomas**

Respondents :-

1. Vinayasen, aged 36 years, S/o Krishnan
residing at Vichitra Sena Nivas, Netta, Nedumangad P.O.
Nedumangad Village, Nedumangad Taluk,
Thiruvananthapuram District.
2. K. Leela, aged 75 years, W/o Gopala Krishnan
residing at Anagham, Near NGO Quarters, Netta,
Nedumangad P.O. Nedumangad Village, Nedumangad Taluk,
Thiruvananthapuram District.
3. Preetha L. aged 61 years, W/o Baiju
residing at Kottapuram Palayam, Nedumangad P.O.
Nedumangad Village, Nedumangad Taluk,
Thiruvananthapuram District.
4. Ambika D/o Subhadra, aged 61 years,
residing at B.K. Bhavan, Dhanuvachapuram, Kollayil Village,
Neyyattinkara Taluk, Thiruvananthapuram District from
Vichitra Sena Nivas, Netta, Nedumangad P.O. Nedumangad Village,
Nedumangad Taluk, Thiruvananthapuram District.

5. Jayan, aged 56 years, residing at Vilayil Veedu, Netta, Nedumangad P.O, Nedumangad Village, Nedumangad Taluk, Thiruvananthapuram District.
6. Bindu W/o Jayan, aged 46 years, residing at Vilayil Veedu, Netta, Nedumangad P.O, Nedumangad Village, Nedumangad Taluk, Thiruvananthapuram District.

By Advocate:-Nil

This transfer petition having been finally heard on 08/07/2025 and the court on 14/07/2025 passed the following.

ORDER

This is a petition filed u/s.24 of the Code of Civil Procedure.

2. The gist of the averments in the petition is as follows:-

The petitioner is the 1st defendant and respondents 5, 6 and 2 are defendant Nos.2 to 4 respectively in O.S.No.136/2018, pending before the Additional Munsiff Court, Nedumangad. The plaintiffs in the said suit are respondents 1 and 4 herein. The petitioner instituted a suit as O.S.No.141/2018 in which the defendants are respondents 1 to 3 herein. The said suit is now pending before the Principal Munsiff Court, Nedumangad. Both suits have been filed for permanent prohibitory injunction and other consequential reliefs. The subject-matter of both the suits are one and the same and the parties involved in the suits are also the same. The evidence to be adduced in both the suits are also the same and in order to avoid multiplicity of proceedings and conflicting decisions, it is highly essential that both the above suits

should be heard and disposed of together. Hence this petition is filed to transfer O.S.No.136/2018, pending before the Additional Munsiff Court, Nedumangad to the Principal Munsiff Court, Nedumangad, where O.S.No.141/2018 is pending or vice versa.

3. Respondent Nos.1 to 3, 5 and 6 though served with notice, remained absent. The 4th respondent filed vakalath.

4. Received remarks from the courts concerned.

5. Heard. Perused the records.

6. O.S.No.136/2018 has been instituted for a decree of permanent prohibitory injunction restraining the defendants from encroaching into the plaintiff B schedule pathway and O.S.No.141/2018 is a suit filed for a decree of permanent prohibitory injunction restraining the defendants from obstructing or destroying plaintiff E schedule pathway. It is seen that the plaintiff B schedule pathway in O.S.No.136/2018 is the plaintiff E schedule pathway in O.S.No.141/2018. It is further seen that the parties in both the suits are same and the questions likely to be decided in both the suits will also be similar. Therefore, considering all the above facts and in the interest of justice, to avoid conflict of decisions, I am of the view that, O.S.No.136/2018, pending before the Additional Munsiff Court, Nedumangad can be withdrawn and transferred to the Principal Munsiff Court, Nedumangad, where O.S.No.141/2018 is

pending.

In the result, this petition is allowed as follows:-

1. O.S.No.136/2018, pending before the Additional Munsiff Court, Nedumangad is withdrawn and transferred to the Principal Munsiff Court, Nedumangad, where O.S.No.141/2018 is pending
2. The Additional Munsiff Court, Nedumangad is directed to transmit the records of O.S.No.136/2018 forthwith to the Principal Munsiff Court, Nedumangad.
3. Considering the facts and circumstances of this case, costs made easy.

Dictated to the Confidential Assistant, transcribed and typed by him, corrected and pronounced by me in Open Court on this the 14th day of July, 2025.

**Sd/-
NAZEERA.S
DISTRICT JUDGE**

Appendix :- Nil

**Id/-
DISTRICT JUDGE**

(Copies – 5)
Typed by : Soumya
Comp. by : Rifa

//True copy//

F.C.S.

By Order

SHERISTADAR

Copy of Order in
OP(TP) No.186/2024
Dated: 14/07/2025
