



2025:KER:30270

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BASANT BALAJI

TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

OP(C) NO. 555 OF 2025

AGAINST THE ORDER/JUDGMENT IN IA NO.8 OF 2025 OF MUSNIFF
COURT, ADOOR

PETITIONER:

SARASAMMA
AGED 55 YEARS
D/O KUTTAPPAN, PARANTHAL CHIRAYIL VEEDU, PERIMPULICKAL,
PANDALAMTHEKKEKARA VILLAGE, ADOOR TALUK, PARANTHAL.P.O.
PATHANAMTHITTA DISTRICT, PIN - 689501

BY ADVS.
K.K.SETHUKUMAR
SARITHA G.R.
SREEKRISHNADATH PANDARATHIL E.K.
R.RAHUL
NISHA MATHEW
MEENAKSHY V.S.
PREETHY K.

RESPONDENTS:

- 1 SREE ANNAPOORNESWARI TEMPLE
CHARUVILA VEEDU, YEARS, PRESIDENT, SREE ANNAPOORNESWARI
TEMPLE, PERIMPULICKAL, PANDALAMTHEKKEKARA VILLAGE,
ADOOR TALUK, PARANTHAL.P.O. PATHANAMTHITTA DISTRICT,
PIN - 689501
- 2 C.B.SAJIKUMAR
AGED 42 YEARS
CHARUVILA VEEDU, PRESIDENT, SREE ANNAPOORNESWARI TEMPLE,
PERIMPULICKAL, PANDALAMTHEKKEKARA VILLAGE, ADOOR TALUK,
PARANTHAL.P.O. PATHANAMTHITTA DISTRICT, PIN - 689501



2025:KER:30270

**3 G.RAMESH
 AGED 55 YEARS
 RAMESH BHAVANAM SECRETARY, SREE ANNAPOORNESWARI TEMPLE,
 PERIMPULICKAL, PANDALAMTHEKKEKARA VILLAGE, ADOOR TALUK,
 MANNAMNAGAR.P.O. PATHANAMTHITTA DISTRICT, PIN - 689501**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 08.04.2025,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**



2025:KER:30270

JUDGMENT(Dated this the 8th day of April, 2025)

The original petition is filed for a direction to the Munsiff Court, Adoor, to dispose of IA 8 of 2025 and 9 of 2025 within a time frame.

2. The suit is filed for declaration of easement right by prescription for the ingress and egress through the plaint schedule property. Along with the suit, an application is filed as IA No.1 of 2024. An ex parte temporary injunction was passed by the learned Munsiff Court.

3. Thereafter there was encroachment, trespass, and obstruction, and I.A No.8 and I.A No.9 of 2025 in OS No.328 of 2024 are filed for amending the plaint and for a mandatory injunction to remove the obstruction. The grievance of the petitioner is because of the non-disposal of I.A 8 and 9 of 2025.

4. A report was called for, and a report was received as to the present stage of IA Nos.8 and 9 of 2025, it is stated that both petitions were posted for hearing on 04.04.2025 and it was partly heard and posted for further hearing on



2025:KER:30270

11.04.2025. Therefore, this original petition is disposed of, directing the Munsiff Court, Adoor, to dispose of the I.A Nos.8 and 9 of 2025 on the next posting itself.

The Original Petition is disposed of as above.

Sd/-
BASANT BALAJI,
JUDGE

saap



2025:KER:30270

APPENDIX OF OP(C) 555/2025

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY OF THE PLAINT IN OS 328/2024 ON THE FILE OF THE MUNSIFF'S COURT AD00R
Exhibit P2	TRUE COPY OF THE TAX RECEIPT NO.KL03011406813/2024 DATED 09/08/2024
Exhibit P3	ORIGINAL PHOTOGRAPHS SHOWS THE OBSTRUCTION
Exhibit P4	TRUE COPY OF IA NO.8/2025 IN OS NO.328/2024
Exhibit P5	TRUE COPY OF IA NO. 9/2025 IN OS NO.328/2024