

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

Monday, the 25th day of May 2026 / 4th Jyaishta, 1948

OP(C) NO. 1129 OF 2026

EA 96/2025 IN OS 539/1994 OF MUNSIF COURT, PERUMBAVOOR, ERNAKULAM
PETITIONER(S)/3RD PARTIES:

1. SUPERINTENDENT OF POLICE ERNAKULAM RURAL, ALUVA, PIN - 683101
2. STATION HOUSE OFFICER THADIYITTAPARAMBU , ERNAKULAM RURAL, ALUVA,
PIN - 683105

RESPONDENT(S)/PETITIONERS 1 TO 4 & RESPONDENTS 1 TO 42 IN THE E.P:

1. SANKARAN NAIR (DIED) S/O. GOVINDAN NAIR, KUNNATHU HOUSE,
MALAYIDAMTHURUTHU KARA, KIZHAKKAMBALAM VILLAGE, PIN - 683562
2. SAROJINI AMMA (DIED) W/O. SANKARAN NAIR, KUNNATHU HOUSE,
MALAYIDAMTHURUTHU KARA, KIZHAKKAMBALAM VILLAGE, PIN - 683562
3. SUBHADRA D/O. LATE SANKARAN NAIR, KUNNATHU HOUSE, MALAYIDAMTHURUTHU
KARA, KIZHAKKAMBALAM VILLAGE, PIN - 683562
4. AMBIKA D/O. LATE SANKARAN NAIR, KUNNATHU HOUSE, MALAYIDAMTHURUTHU
KARA, KIZHAKKAMBALAM VILLAGE, PIN - 683562
5. KALUKURUMBAN (DIED) S/O. KODUNGALI, PARIYARATHU KAVUNGAL HOUSE,
SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN - 683562
6. KUMARAN (DIED) S/O. LATE KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE,
SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN - 686670
7. THEVAN (DIED) S/O. LATE KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE,
SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN - 686670
8. AYYAPPAN S/O. LATE KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE, SOUTH
VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN - 686670
9. CHANDRAN S/O. LATE KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE. SOUTH
VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN - 686670
10. KALUKURUMBA (DIED) W/O. LATE KALUKURUMBAN, PARIYARATHU KAVUNGAL
HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN -
686670
11. GOPALAN S/O. LATE KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE
VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN - 686670
12. THANKAPPAN (DIED) S/O. LATE KALUKURUMBAN, PARIYARATHU KAVUNGAL
HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE, PIN -
686670
13. KODUNGU KUMARAN (DIED) AGED 75 YEARS, S/O. LATE KUMARAN S/O.
KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA,
SOUTH VAZHAKKULAM VILLAGE, PIN - 686670
14. KRISHNAN AGED 48 YEARS, S/O. KUMARAN S/O. KALUKURUMBAN, PARIYARATHU
KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
15. AMMINI AGED 54 YEARS, D/O. KUMARAN S/O. KALUKURUMBAN,, PARIYARATHU
KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
16. LEELA AGED 52 YEARS, D/O. KUMARAN S/O. KALUKURUMBAN, PARIYARATHU

- KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
17. VALSA AGED 50 YEARS, D/O. KUMARAN S/O. KALUKURUMBAN, PARIYARATHU
KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
18. MINI AGED 45 YEARS, D/O. KUMARAN S/O. KALUKURUMBAN, PARIYARATHU
KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
19. SINI AGED 42 YEARS, D/O. PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM
VILLAGE. KUMARAN S/O. KALUKURUMBAN, SOUTH VAZHAKKULAM KARA, SOUTH
VAZHAKULAM VILLAGE, PIN - 686670
20. SUNIL AGED 38 YEARS, S/O. KUMARAN S/O. KALUKURUMBAN, PARIYARATHU
KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
21. ANITHA AGED 35 YEARS, D/O. KUMARAN S/O. KALUKURUMBAN, PARIYARATHU
KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
22. SARITHA AGED 35 YEARS, D/O. KUMARAN S/O. KALUKURUMBAN, PARIYARATHU
KAVUNGAL HOUSE, SOUTH VAZHAKKULAM KARA, SOUTH VAZHAKKULAM VILLAGE,
PIN - 686670
23. LAKSHMI AGED 72 YEARS, W/O. LATE THEVAN S/O. LATE KALUKURUMBAN,
PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH VAZHAKKULAM
VILLAGE, PIN - 686670
24. SUDHA AGED 50 YEARS, D/O. LATE THEVAN S/O. LATE KALUKURUMBAN,
PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH VAZHAKKULAM
VILLAGE, PIN - 686670
25. BABU AGED 48 YEARS, S/O. LATE THEVAN S/O. LATE KALUKURUMBAN,
PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH VAZHAKKULAM
VILLAGE, PIN - 686670
26. SAJI AGED 46 YEARS, S/O. LATE THEVAN S/O. LATE KALUKURUMBAN,
PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH VAZHAKKULAM
VILLAGE, PIN - 686670
27. SHIBU AGED 44 YEARS, S/O. LATE THEVAN S/O. LATE KALUKURUMBAN,
PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH VAZHAKKULAM
VILLAGE, PIN - 686670
28. BEENA THANKAPPAN AGED 44 YEARS, W/O. LATE THANKAPPAN S/O. LATE
KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH
VAZHAKKULAM VILLAGE, PIN - 686670
29. AKHILMON THANKAPPAN AGED 26 YEARS, S/O. LATE THANKAPPAN S/O.. LATE
KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH
VAZHAKKULAM VILLAGE, PIN - 686670
30. ABIN THANKAPPAN AGED 26 YEARS, S/O. LATE THANKAPPAN S/O. LATE
KALUKURUMBAN, PARIYARATHU KAVUNGAL HOUSE, VAZHAKKULAM KARA, SOUTH
VAZHAKKULAM VILLAGE, PIN - 686670
31. M.K. ANILKUMAR S/O. KRISHNANKUTTI, MANAKULANGARA HOUSE, MALAYIDAM
THURUTH P.O., MALAYIDAM THURUTH, PIN - 683561
32. A.K. MURALEEDHARAN S/O. KRISHNANKUTTI NAIR,, ARAKKAL HOUSE,SOUTH
VAZAKKULAM, MUDIKKAL P.O, RESIDING AT VAISHNAVAM HOUSE., PIN -
683105
33. GOPAL DIO @ C.K. GOPALAKRISHNAN CHUDALAPARANBIL HOUSE, SETTAP

- KAVALA, MAAVINCHUVAD, MUDIKKAL P.O, PIN - 683556
34. K.M. SIRAJ S/O. MUHAMMADH, KANNAPARANBIL HOUSE, MALAYIDAM THURUTH P.O., MALAYIDAM THURUTH, PIN - 683561
 35. SUDHEER S/O. SEYTH MUHAMMADH, CHEMBARATHAN HOUSE, MALAYIDAM THURUTH P.O., MALAYIDAM THURUTH, PIN - 683561
 36. N.C. MOHANAN S/O. CHELLAPPAN PILLA, NELLAMBURATH HOUSE, BROADWAY, PERUMBAVOOR P.O., PIN - 683542
 37. C.A. ABDHUL KAREEM S/O. MUSTHAFFA, CHIRAYATH HOUSE, NADAKKAVU, VAZAKKULAM, PIN - 683105
 38. N.P. SUNNY S/O. PATHROS, NAMMANARI HOUSE, MALAYIDAM THURUTH P.O., MALAYIDAM THURUTH, PIN - 683561
 39. VIJI SUNNY S/O. M.P. SUNNY, MAZUVANCHERY HOUSE, NADAKKAVU, VAZAKKULAM, PIN - 683105
 40. THAHIRA NASSAR S/O. NASSAR, ETHIYIL HOUSE, NADAKKAVU, VAZAKKULAM, PIN - 683105
 41. SINI SUBRAHMANYAN ETHIYIL HOUSE, NADAKKAVU, VAZAKKULAM, PIN - 683105
 42. AISHABEEVI CHIRAYATH HOUSE, NADAKKAVU, VAZAKKULAM, PIN - 683105
 43. RAVI S/O. KUNJAPPAN, MANDHATTIL HOUSE, NADAKKAVU VAZAKKULAM, PIN - 683105
 44. PAULOSE S/O. PAILY, CHANDHANATHIL HOUSE, EDATHALA, PIN - 683561
 45. SUBRAHMANYAN S/O. KRISHNAN, CHOONDANI HOUSE, CHEMBARAKKI, VAZAKKULAM, PIN - 683105
 46. V.M. SHAMNADH S/O. VADAKKENATHIL HOUSE, MUDIKKAL P.O, PIN - 683556

Op (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the OP(C) the High Court be pleased to stay all further coercive steps in execution of the decree in E.P.No.240/2022 in O.S.No.539/1994, as per the order dated 28.03.2026 pending disposal of this original petition.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of OP(C) and this court's order dated 01/04/2026 and upon hearing the arguments of GOVERNMENT PLEADER, Advocates for the petitioners and of SRI.P.VISWANATHAN (SR.) ALONG WITH M/S.SHIBU JOSEPH, VRINDA BABU, AMAN MANZOOR, SARATH VISWANATHAN, KEVIN JOSE SHIBU & JOSEPH FRANCIS, Advocates for R3 & R4 and of M/S. SUDEEP ARAVIND PANICKER, A.S.DILEEP, P.BINOD, K.Y.SUDHEENDRAN, SUSEELS DILEEP, K.N.HARISHANKAR & HARSHIDA P, Advocates for R8,R9,R14,R15,R17,R18,R-20-R30, R41, the court passed the following:

MONDAY, THE 25TH DAY OF MAY 2026

OP(C) No. 1129 of 2026

SUPERINTENDENT OF POLICE & ANOTHER

VS

SANKARAN NAIR (DIED) & OTHERS

ADVS FOR PETITIONER/S:

GOVERNMENT PLEADER

ADVS FOR RESPONDENT/S:

ORDER

Sd/-

T.R.RAVI

JUDGE



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T.R. RAVI, J.

O.P.(C). No.1129 of 2026

Dated this the 25th day of May, 2026

ORDER

By Ext.P3 judgment this Court had directed the Munsiff Court, Perumbavoor to issue necessary directions in the execution petition to the concerned Police Officers, to assist the Amin and the Advocate Commissioner to execute the decree in letter and spirit by granting necessary protection. Even though the order was passed on 19.03.2026, to this day, the order has not been executed. It is submitted that there is large scale obstruction to the effective execution of the directions.

2. The learned Advocate General appearing for the State submitted that earnest efforts are being taken to sort out the issue and a further period of two weeks may be granted so that the issue can be sorted out without much heart burn.

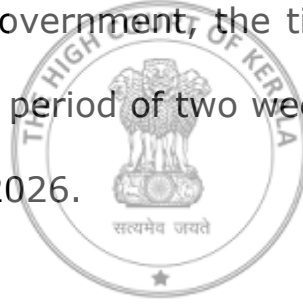
3. The counsel for the respondents submitted that some of the party respondents are residents of the area in question and they have been living there for three generations. However, admittedly none of them have filed any obstruction petition before

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the execution court nor have they filed any independent suit to enforce their rights over the property. It is submitted that they are not obstructing the execution of the decree but they are residing there peacefully. The two submissions do not go together. If they are residing in the plaint schedule property, necessarily they should have a pre-existing right and the said right should have been attempted to be enforced in a manner known to law. So long as it is not done, they cannot obstruct. Since it is submitted that effort is being taken by the Government, the time granted by this Court is extended by a further period of two weeks.

Post on 09.06.2026.



Sd/-

**T.R. RAVI
JUDGE**

Pn

APPENDIX OF OP(C) 1129/2026

Exhibit P3

**TRUE COPY OF THE JUDGMENT IN O.P.(C) NO. 3314/2025
DATED 19.03.2026**

