

**IN THE COURT OF THE II ADDITIONAL DISTRICT MUNSIF,
NAGERCOIL.**

Present : Selvi. V. Sivaranjani, B.A., L.L.B.,

II Additional District Munsif, Nagercoil

Wednesay, on the 25th day of June, 2025.

O.S. No. 160 of 2015

CNR No.TNKK04-000229-2015

S. Sivaji, S/o. Subbiah Asari, aged 51, Hindu, business, residing at Door.No.257, Police Station Road, Meenakshipuram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.

... Plaintiff

-Vs-

1. Paramaswari (died), W/o. Late Subbiah Asari, aged 75, Hindu, House wife, residing at Door.No.1A-6, Anna Nagar, Balamurugan Compound, Vadiveeswaram, Nagercoil – 629 002 Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District
 2. Asokan, S/o. Sathiya, aged 60 years, Hindu, business, residing at Door No.62, 12th Street, Asthalekshmi Nagar, Alampakkam, Chennai 600 116, Tamil Nadu.
- Addl. 3. Krishnaveni, W/o. Nadarajan (late), aged 62, Hindu, House wife, residing at Door No.1A, Sree Balamurugan Compound, Kalmadatheru, Vadiveeswaram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.
- Addl. 4. Peachiammal, W/o. Arumugam (late), aged 54, Hindu, House wife, residing at Door No.1A, Sree Kalmadatheru, Balamurugan Compound, Vadiveeswaram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.

Addl. 5 . Sankar, S/o. Subbiah Asari, aged 57, Hindu, House wife, residing at Door No.1A, Sree Balamurugan Compound, Kalmadatheru, Vadiveeswaram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.

Addl. 6. Santhi, W/o. Raveendram (late), aged 57, House wife, residing at Door No.1A-3, Sree Balamurugan Compound, Kalmadatheru, Vadiveeswaram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.

Addl. 7. Keeteswari, D/o. Raveendran (late), aged 20, Hindu, Student, residing at Door No.1A, Sree Balamurugan Compound, Kalmadatheru, Vadiveeswaram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.

Addl. 8. Saravanan, S/o. Arumugam (late), aged 32, Hindu, business,, residing at Door No.1A, Sree Balamurugan Compound, Kalmadatheru, Vadiveeswaram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.

Addl. 9. Thiyagu, S/o. Arumugam (late), aged 32, Hindu, business, residing at Door No.1A, Sree Balamurugan Compound, Kalmadatheru, Vadiveeswaram, Nagercoil – 629 002, Vadiveeswaram Village, Agasteeswaram Taluk, Kanyakumari District.

(Addl.defendants 3 to 9 are impleaded as per order passed in I.A.1/2022 dated 07.09.2023 and Plaint amended as per order passed in I.A. 2/2023 dated 18.04.2024)

(Plaint amended as per Order passed in I.A. 434/2017 dated 17.03.2022)

... Defendants

This suit is filed by the plaintiff to declare the Sale deed No.44 of 2015 dated 06.01.2015 and the Cancellation deed No.1155 of 2015 dated 06.04.2015 of Kanyakumari District Register Office, Nagercoil as null and void and not binding upon the plaintiff and for permanent injunction restraining the defendants and their men from disturbing the peaceful possession and enjoyment over the plaintiff schedule property and for costs.

Date of Complaint Presentation : 05.06.2015

Date of Complaint filing : 05.06.2015

Cause of action for the suit arose on 07.10.2009, 06.01.2015, 10.01.2015 arose at Vadiveeswaram East Village.

For the purpose of jurisdiction and court fee the suit is valued at Rs.2,000/- for 'A' relief is valued at Rs.1,000/- and a court fee of Rs.75.50/- is paid under Section 25 (d) of the Tamil Nadu Court fees and Suit Valuation Act XIV of 1955 and 'B' relief of injunction is valued at Rs.1,000/- and court fee of Rs.75.50/- is paid under section 27(c) of the Tamil Nadu Court fees and Suit Valuation Act XIV of 1955. Total Court fee paid is Rs.151/-.

This suit is coming on 18.06.2025 before me for final hearing, in the presence of Thiru. T.K.S. Maniam, Advocate for the plaintiff and the suit is dismissed against 2nd defendant on 27.09.2016 and Addl. 3rd to 9th defendants were set exparte on 22.07.2024 and 1st defendant is died and upon hearing the Plaintiff side arguments and perusing the case records having stood

over for consideration till this day, this court doth order and decree as follows:

DECREE

that the suit be and the same is hereby is partly decreed as follows,

- (i) It is hereby declared that the Sale Deed dated 06.01.2015 bearing Document No.44 of 2015 of Kanniyakumari District Register Office, Nagercoil as null and void as prayed.
- (ii) That the relief seeking declaration of the Cancellation Deed bearing Doc.No.1155 of 2015, dated 06.04.2015 of Kanniyakumari District Register Office, Nagercoil as null and void is dismissed
- (iii) It is hereby granted the relief of Permanent injunction restraining the defendants and their men from disturbing the peaceful possession and enjoyment over the plaintiff schedule property.
- (iv) No cost.

Given under my hand and the Seal of this Court, this the 25th day of June 2025.

sd/-(V. Sivaranjani)
II Additional District Munsif
Nagercoil.

(Both parties cost memo not filed)

SCHEDULE PROPERTY

Sl.No.	:	1
District	:	Kanyakumari
Taluk	:	Agasteeswaram
Village	:	Vadiveeswaram North
Survey No.	:	Q.10/20-1A1
Area	:	11 cents

Description of Property:

Land with 3 houses with concrete buildings having upstairs each
Nagercoil Municipality Door No.1A

Boundaries :-

North	:	Subbiah Asari Land
South	:	Pathway
East	:	Pathway
West	:	Road

sd/-

S.T

sd/-

H.C

sd/-

II ADM.

II ADM Court,
Nagercoil
O.S.No.160 of 2015
Decree
Date 25.06.2025