

IN THE COURT OF THE MUNSIFF OF CHITTUR

Present :- Smt.Shiny.M.S., Munsiff, Chittur
Thursday the 19th day of March, 2026
28th day of Phalguna, 1947 S.E.

ORIGINAL SUIT NO. 339/2022

Lakshmi, aged 76 years, W/o.Vellakutty, : Plaintiff
Moolakkode, Kizhakkanchery No.1 Village,
Alathur Taluk, Palakkad District.
Represented by Powe of Attorney Holder Prameela,
aged 56 years, W/o.Chandran, Midhunampallam,
Kodumbu Village, Palakkad Taluk, Pin – 678 507.

Vs.

1. Arjunan, aged 73 years, S/o.Aru, : Defendants
Kambrathchalla Kalam,
Muthalamada No.II Village, Chittur Taluk,
Palakkad District, Pin – 678 507.
2. Padmini, aged 68 years, W/o.Arjunan,
Kambrathchalla Kalam,
Muthalamada No.II Village, Chittur Taluk,
Palakkad District, Pin – 678 507.
3. Leelavathy, W/o.Krishnan, Kambrathchalla Kalam,
Muthalamada No.II Village, Chittur Taluk,
Palakkad District, Pin – 678 507.

This suit is coming on this day for hearing before me in the presence of Sri.M.Saseendran, Advocate for the plaintiff and defendants called absent and set exparte and the court delivered the following:-

J U D G M E N T

Suit for permanent prohibitory injunction.

2. Plaintiff averments in brief are as follows:- The plaintiff is the power of attorney holder of the plaintiff's mother, Lakshmi as per document No. 24/2011 of S.R.O, Kollengode. The 1st defendant is Lakshmi's brother, the 2nd defendant is the 1st defendant's wife and the 3rd defendant is Lakshmi's younger sister. Lakshmi has obtained properties mentioned in Schedule-I under Partition Deed No. 802/1957 of S.R.O, Kollengode and has obtained purchase certificate No. 3092 in 1973 from the Kollangode Land Tribunal. The plaintiff resides in Kizhakkancherry Moolangode and she is paying tax. Apart from the plaintiff, no one else has any right over the plaintiff schedule property. Plaintiff's properties are lying in the south west of the defendant's property. The 1st defendant wanted Lakshmi to sell the plaintiff schedule properties to him, but she was not willing. Due to this enmity, 1st defendant threatened to the plaintiff that, 1st defendant would encroach the properties. If it happened the plaintiff will suffer irreparable losses. On 24-08-2022, the 1st defendant and his wife, together with the help of some political parties, tried to encroach and grab the property, but due to the timely intervention of the plaintiff they were retreated from the spot. Therefore, boundaries of the plaintiff schedule property may be fixed as per the documents and a permanent injunction may be granted. Hence the suit.

3. The defendant No. 1 and 2 entered appearance and but failed to file written statement. Though summons was served on defendant No.3, the defendant did not enter appearance and the defendants were called absent and set exparte.

4. To prove the case of the plaintiff, PW1 filed proof affidavit in lieu of chief examination and the documents produced was marked as Ext.A1 to A3 and C1, C1(a) and C2. No contra evidence tendered. The unchallenged evidence of PW1 and the documents marked as Exts.A1 to A3 and C1, C1(a) and C2 are accepted. The affidavit along with the documentary evidence proved the case of the plaintiff.

In the result, the suit is decreed as follows :-

- (1) The A B C D E F G H I is fixed as the four boundaries of the plaint schedule properties.
- (2) The Exts. C1 commission report and C1(a) survey plan do form part of the decree.
- (3) The defendants and their men are hereby restrained by way of permanent prohibitory injunction from trespassing or causing any obstruction in peaceful possession and enjoyment of the plaint schedule property by the plaintiff.
- (4) The plaintiff is entitled for the costs of the suit from the defendants.

Dictated to the Confidential Assistant, transcribed by her, corrected and pronounced by me in open court on this the 19th day of March, 2026.

Sd/-
Munsiff

Plaintiff's Witness Examined :

PW1 : Prameela

Plaintiff's Exhibits :

A1 06.09.1977 : Copy of Purchase Certificate No.871/1977 issued from Kollengode No.II Land Tribunal.
 A2 16.06.2011 : Copy of Power of Attorney No.24/2011 of SRO Kollengode.
 A3 15.11.1957 : Certified copy of Partition Deed No.802/1957 of SRO Kollengode.

Defendant's Witness and Exhibits : Nil

Court's Witness : Nil

Court's Exhibits :

- C1 02.04.2025 : Final Commission report submitted by Advocate Commissioner Chithra.N
- C1(a) 02.04.2025 : Survey Plan submitted by Advocate Commissioner Chithra.N.
- C2 21.05.2025 Additional Report submitted by Advocate Commissioner Chithra.N

Sd/-
Munsiff

//True Copy//

Munsiff

Typed by : Dhanya.P.V
Compared by : R.Dhanalakshmi

Fair / Copy of Judgment in
O.S.No.339/2022
Dated : 19.03.2026
