

IN THE COURT OF THE MUNSIFF RANNY
Present:- Smt. Ampili Chandran. P.B, B.A, LL.B., Munsiff.

Tuesday the 26th day of May 2015
5th day of Jyaishta 1937 SE

OS 278/14

Between:

Narendran, aged 76 years,
S/o. Kesavan, Pezhumoottil-
Thadathil house, Angadi P.O.,
Angadi Village, Ranni Taluk,
Pathanamthitta District. } Plaintiff

(By Adv. Reno Zac Vadekathara)

And:

1. P.K Vasu, aged about 80 years,
S/o. Kesavan, Pezhumoottil-
Thadathil house, Angadi P.O.,
Angadi Village, Ranni Taluk,
Pathanamthitta District.
 2. P.V Sasi, aged 45 years,
S/o. P.K Vasu, Pezhumoottil-
Thadathil house, Angadi P.O.,
Angadi Village, Ranni Taluk,
Pathanamthitta District.
 3. Rathi, aged 40 years,
W/o.P.V Sasi,
Pezhumoottil Thadathil house,
Angadi P.O., Angadi Village,
Ranni Taluk, Pathanamthitta District.
- } Defendants

4. Rajendran, aged 40 years,
S/o. P.K Vasu,
Pezhumoottil Thadathil house,
Angadi P.O., Angadi Village,
Ranni Taluk, Pathanamthitta District.
5. Jalaja, aged 38 years,
W/o. Rajendran,
Pezhumoottil Thadathil house,
Angadi P.O., Angadi Village,
Ranni Taluk, Pathanamthitta District.

(Exparte)

This suit having been finally heard on 26/5/15 in the presence of Sri. Reno Zac Vadakethara counsel for plaintiff, the defendants set exparte and on the same day the court delivered the following.

JUDGMENT.

Suit for permanent prohibitory injunction.

2.Plaint averments are as follows.

Plaint schedule property is devolved on the plaintiff based on partition deed No.1933/1964, sale deed No.639/1991 and sale deed No.838/1991 of Ranny SRO. The said property is lying within well settled boundaries and plaintiff is residing in it. The defendants are neighbours and close relatives of plaintiff who are now trying to demolish the southern boundary wall and to occupy portions of plaint schedule property, hence the suit.

3. Though the defendants entered appearance, they not cared to contest the suit , hence set them exparte.

4. The plaintiff filed proof affidavit in lieu of examination in chief reiterating plaint averments and marked Ext.A 1 to A4 and Ext.C1 series. Ext.A1 to A3 are the title deeds in favour of plaintiff established his title over the plaint schedule property. Ext.A4 is the tax paid receipt in favour of plaint schedule property. Since Ext.C1 series is tallying with plaint schedule description, I have no hesitation to decree the suit.

In the result, the suit is decreed, the defendants and people under them are restrained from trespassing into plaint schedule property, from demolishing its boundary walls, annexing any portion of plaint schedule property and from causing obstructions to the plaintiff's peaceful possession and enjoyment over the plaint schedule property. There is no order as to costs.

Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, on this the 26th day of May, 2015.

AMPILICHANDRAN. P.B.,
MUNSIFF.

APPENDIX:

Exhibits Marked for Plaintiff:

- A1 - 6/6/64 - Original partition deed No. 1933/64 executed between Kesavan.
- A2 - 27/3/91 - Original sale deed No. 639/91 executed by Sathi and Sasidharan in favour of Narendran.
- A3 - 27/4/91 - Original sale deed No. 838/91 executed by Kanakamma in favour of Narendran.
- A4 - 22/7/14 - Original Tax Receipt No. 2342776 issued by Angadi Village Office.

Court Exhibits:

- C1 - 8/10/14 - Commission report prepared and submitted by commissioner Adv. Lessly Mathews.
- C1(a) - 8/10/14 - Mahazar prepared and submitted by commissioner Adv. Lessly Mathews.
- C1(b) - 8/10/14 - Rough sketch prepared and submitted by commissioner Adv. Lessly Mathews.

Witness examined for Plaintiff : NIL

MUNSIFF

Typed by: Bindu.R
Compared by:

FAIR/COPY OF JUDGMENT
IN OS NO. 278/14
DATED: 26/5/15