

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE OF COIMBATORE

PRESENT : THIRU.K.RAJASEKAR, B.Com., B.L.,
Principal District Judge, Coimbatore.

Wednesday the 14th day of December 2022

ORIGINAL SUIT No.632/2021
(CNR.No.TNCB-01-002208-2021)

Sri.D.Selvaraj, aged about 38 years, son of Ponnusamy @ Deivasigamani, residing at 3/105, Ganesar Street, Ganapathipalayam, Moppiripalayam village and post, Karumathampatti via, Suler Taluk.

.. Plainiff

/vs/

1. Sri.Ponnusamy @ Deivasgamani, son of Late Ganapathy gounder, aged about 72, residin at 3/133, Ganapathipalayam, Moppiripalayam village and post, Karumathampatti via, Suler Taluk.
2. Sri.Sivanandhan, aged about 60 years, son of Ramachandran, residing at 667, 1st Floor, Saradha Complex, Raja Street, Coimbatore – 641 001.
3. Sri.G.V.Ramasamy, aged about 65 years, son of Venkitta Subba Naidu, residing at 84, Vinayagar Street, Sivanandha Colony, Coimbatore – 641 012.
4. Sri.N.Velusamy, aged about 55, son of Nallia gounder, residing at 2/162, Karayampalayam, Mylampatti village and post, Suler Taluk.
5. Sri.P.Moorthi, aged about 60. Son of Palanisamy Naidu,
6. Smt.M.Kasumani, aged about 55 years, wife of Moorthi, both are residing at 667, 1st Floor, Saradha complex, Raja Street, Coimbatore – 641 001.

... Defendants

Suit for partition and division of Item 1 and 2 of the properties into two equal shares by metes and bounds with reference to good and bad soil and allot 1 such contiguous shares to the plaintiff and declaring that the alleged sale deed dated 08-11-1990 vide Doc.No.4187/1990 SRO, Sulu in the name of 2nd defendant will not bind upon the plaintiff with respect of the plaintiff is concern half share and declaring that the alleged sale deed dated 21-08-1991 vide Doc.No.2636/1991 SRO, Suler in the name of 3rd defendant will not bind upon the plaintiff and declaring that the alleged sale deed dated 10-02-2004 vide Doc.No.611/2004 SRO, Suler in the name of 4th defendant will not bind upon the plaintiff and declaring that the alleged sale deed

dated 14-09-2004 vide Doc.No.4428/2004 SRO, Suler in the name of 5th defendant will not bind upon the plaintiff and declaring that the alleged sale deed dated 16-09-2004 vide Doc.No.4251/2004, Suler in the name of 6th defendant will not bind upon the plaintiff and directing the defendants to put the plaintiff in separate possession of his shares so allotted and for costs.

Date of suit 26-03-2021 and 31-03-2021.

Cause of action arose on 23-01-1950, 08-11-1990, 21-08-1991, 10-02-2004, 14-09-2004, 16-09-2004, 17-02-2021, 05-03-2021, 18-03-2021 at Mylampatti village, Suler Taluk.

Value of suit Rs.26,01,592/- and a Court Fee of Rs.5,752/- is paid under Sections 37(2) and 25(d) of the TamilNadu Court Fees and Suit Valuation Act.

DETAILS OF VALUATION

1. FOR THE RELIEF OF PARTITION AND SEPARATE POSSESION:

Market value of Item 1 of the suit properties	Rs.50,25,000/-
In this, the plaintiff's 1/2 share value is	Rs.25,12,500/-
Market value of Item 2 of the suit properties	Rs.1,28,184/-
In this, the plaintiff's 1/2 share value is	Rs.64,092/-
Fixed Court Fees paid thereon under Section 37(2) is	Rs.5000/-

2. FOR THE RELIEF OF DECLARATION AGAINST THE ALLEGED SALE DEED DATED 08-11-1990.

The plaintiff's own valuation for the relief of Declaration is (Since the plaintiff is not party to the document)	Rs.5,000-00
Court fee paid under Section 25(d) is	Rs.150-50

3. FOR THE RELIEF OF DECLARATION AGAINST THE SALE DEED DATED 21-08-1991.

The plaintiff's own valuation for the relief of Declaration is (Since the plaintiff is not party to the document)	Rs.5,000-00
Court fee paid under Section 25(d) is	Rs.150-50

**4. FOR THE RELIEF OF DECLARATION AGAINST THE SALE DEED
DATED 10-02-2004.**

The plaintiff's own valuation for the relief of Declaration is Rs.5,000-00

(Since the plaintiff is not party to the document)

Court fee paid under Section 25(d) is Rs.150-50

**5. FOR THE RELIEF OF DECLARATION AGAINST THE SALE DEED
DATED 16-09-2004.**

The plaintiff's own valuation for the relief of Declaration is Rs.5,000-00

(Since the plaintiff is not party to the document)

Court fee paid under Section 25(d) is Rs.150-50

**6. FOR THE RELIEF OF DECLARATION AGAINST THE SALE DEED
DATED 19-09-2004.**

The plaintiff's own valuation for the relief of Declaration is Rs.5,000-00

(Since the plaintiff is not party to the document)

Court fee paid under Section 25(d) is Rs.150-50

Total Value of the suit is Rs.26,015,92/-

Total Court Fees paid is Rs.5,752.50

This suit is coming before me for final hearing before me in the presence of *Tvl.K.Sethuram, R.Krishnaveni, K.Vishwanathan, S.Arunkumar, R.Rajeshkumar*, Advocates for the plaintiff, and defendants 1 and 4 having been reported dead, and 3rd respondent called absent set exparte and of *Thiru.S.Dorairaj*, Advocate for the defendants 5 and 6, batta not paid for the 2nd defendant and plaintiff is not showing any interested to prosecuting this suit, this Court doth order and decreed as follows:-

1. that the suit be and the same is hereby dismissed for default, and
2. that there be no order as to costs in this suit.

MEMO OF COSTS

FOR THE PLAINTIFF'S SIDE:-

NIL

FOR THE DEFENDANTS' SIDE:-

NIL

SCHEDULE OF PROPERTIES

ITEM -1 :-

கோயமுத்தூர் ரிடி சூலூர் சப்டி, பல்லடம் தாலூக்கா, மயிலம்பட்டி கிராமத்தில் பட்டா நெ.டி.டி.845 சர்வே 132 காலை ஏக்கரா 9.25க்கு தரம் ரூ.15.10.0 மு.ம.கருப்ப கவுண்டன் பாகத்துக்கும், 131 நத்தத்திற்கு தெற்கு, 128 நெ காலைக்கும் மு.ம.கருப்ப கவுண்டர் பாகத்துக்கும் மேற்கு, 127 நெ காலைக்கும் வடக்கும், 133 நெ காலைக்கு கிழக்கு. இதன் மத்தியில் ஏக்கர் 6.00க்கு 10.4.0 இந்த பூமியும் மேற்படி காலையில் மேற்படி பாகத்திலுள்ள 2வது துலை துரஸ்த்து கிணர் 1, மேற்படி தற்போதைய உட்பிரிவுப்படி க.ச.132/1B உள்ளது.

ITEM - 2 :-

கோயமுத்தூர் ரிடி, சூலூர் சப்ரி, பல்லடம் தாலூக்கா, மயிலம்பட்டி கிராமத்தில் 131 காலை ஊர் நத்தத்தில் 132 நெ காலை வடக்கும், மேற்படி நத்தத்திற்கு மேற்கும், தெற்கும், கிழக்கு. இதன் மத்தியில் ஏக்.0.14ல் கிழக்கு வாசல் சீமை ஓடு போட்ட வில்லை சாளை அங்கணம் 5 வடக்கு பார்த்த வில்லைச் சாளை அங்கணம் 7 மேற்படி சாளைகளுக்கு மேபுரமாக இருக்கிற ஒத்தை டாப்பு அங்கணம் 5 ஆக அங்கணம் 17 ம் இதைச் சேர்ந்த கதவு நிலவுக் கட்டுக் கோப்பும் சகிதம்.

Given under my hand and the seal of the Court, this the 14th day of December 2022.

PRINCIPAL DISTRICT JUDGE,
COIMBATORE.

//True copy //

**Decree in
O.S.No.632/2021
Dated: 14-12-2022.**