

**IN THE COURT OF THE DISTRICT MUNSIF, SULUR**

Present : **Tmt.N.Renuga.**, B.A., B.L.,

District Munsif, Sulur

Wednesday the 26<sup>th</sup> day of June 2024

**I.A.No.5/2024**

**in**

**O.S.No.105/2020**

1. Balasubramaniam, son of Ramasamy Gounder, Hindu, aged 48 years, residing at 6/4, Thotta Salai Street, Chinna Mopripalayam H/O Mopripalayam village, Vagarayampalayam, Sulur Taluk.
2. Sakthivel, son of Rangasamy gounder, Hindu, aged 54 years, residing at 6/10, Perumal Koil Street, Chinna Mopripalayam H/O Mopripalayam village, Vagarayampalayam, Sulur Taluk.

... Petitioners/Plaintiffs

/VS/

Devaki, wife of Thangaraj, Hindu, aged 55 years, residing at Solakattupalayam, Chinna Mopripalayam H/O Mopripalayam village, Vagarayampalayam, Sulur Taluk.

...Respondent/Defendant

This petition filed by the petitioner under order 6 rule 17 of CPC to amend the plaint.

Date of the petition : 05.03.2024

This petition is coming on 21.06.2024 for final hearing before me in the presence of Thiru.A.Chinnasamy, Advocate for the Petitioners and Thiru.E.Gopalakrishnan, Advocate for the Respondent and upon perusing the records, and till this day this court Final order and direct as follows:

1. *that the petition be and the same is hereby allowed; and*
2. *that there be no cost.*

MEMO OF COSTS

FOR PETITIONERS SIDE

FOR RESPONDENTS SIDE

NIL

Details of Amendment

1. In the body of the plaint after para VII add para VII-A. The plaintiff submits that subsequent to the filing of the suit the defendants had obliterated the cart track and put up heaps of mud at the entrance of the cart track. Where the cart track branches of towards north from the east – west thar road and also stored fallen trees across the north south cart track in a way to obstruct the plaintiffs enjoyment of the cart track. Therefore the plaintiffs are seeking relief of mandatory injunction to direct the defendant to restore the suit cart track to its original position by removing the trees put up by them across the cart track and to remove the earth put up by the defendants at the entrance of the cart track and to remove all other obstructions put up by the defendant across the suit cart track within a period fix by this Hon'ble Court.

2. In para 12 of the plaint details of valuation the plaintiffs value for the relief of mandatory injunction is Rs.2000/-

The plaintiffs paid a court fee of Rs.60/- under section 27(c).

3. In para 13 of the plaint after the 1<sup>st</sup> prayer add ia. Pass a decree for mandatory injunction directing the defendant to remove the earth to put up by them at the entrance of the cart track and where the cart track branches of towards east – west thar road and also stored fallen trees across the north south cart track in a way to obstruct the plaintiffs enjoyment of the cart track as described in C schedule.

4. In the description of property after the B schedule add C schedule ଘେଘେ ଧ୍ର

பட்டியலில் குறிப்பிட்டுள்ள வண்டிப்பாதையில் கிழமேல் தார் ரோட்டிலிருந்து வடக்கே பிரிந்து செல்லும் வண்டிப்பாதையில் வண்டிப்பாதை பிரியும் இடத்தில் புதிதாக அமைக்கப்பட்ட மண் ஏரியை அப்புறப்படுத்தியும் தாவா வண்டிப்பாதையில் மரங்களைப் போட்டு வண்டிப்பாதையை அனுபவிப்பதற்கு இடையூறு செய்வதை அப்புறப்படுத்த வேண்டியது. தாவா வண்டிப்பாதையை முன்பு இருந்த அளவிற்கு மீண்டும் அமைத்துக் கொடுக்க வேண்டியது.

Given under my hand and seal of this court, this the 26<sup>th</sup> day of June 2024.

Sd/N.Renuga

District Munsif,  
Sulur.

Final Order  
I.A.No.5/2024 in  
O.S.No.105/2020  
Dated: 26.06.2024  
DMC, Sular