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IN THE COURT OF THE DISTRICT MUNSIF, PANRUTI

Present: Tmt.K.Renugadevi, B.A., B.L.,

District Munsif, Panruti.

Wednesday, the 29th day of April, 2026

Original Suit No.63/2024

CNR No.TNCD08-000081-2024

Venkatesan

...Plaintiff

Versus

1. Sekar
2. Sakthivel
3. Chandirasekar
4. The Tahsildar, Panruti
5. The Revenue Divisional Officer, Cuddalore
6. The Sub Registrar, Panruti
7. The District Collector, Cuddalore,

...Defendants

The suit came up on 08.04.2026 for final hearing before this court, in the presence of Thiru.G.Ravi, Learned Counsel for the Plaintiff and Thiru.K.Vijayakumar, Learned Counsel for Defendants 1 to 3 and Thiru.M.Ekambaram(GP), Learned Counsel for Defendants 4 to 7 and the Defendants set exparte for non filing of written statement and after hearing Plaintiff side submission and on due consideration this Court delivers the following:

JUDGMENT

1.PRAYER:

Suit for declaration and permanent injunction.

- (a) declaring the Plaintiff's title over the suit property,
- (b) *restraining the Defendants 1 to 3, their men or agents from interfering and encroaching into the suit property,*
- (c) *and for award of cost.*

2. GIST OF THE PLAINT:

As per the Plaintiff, the suit property was originally sold to Rajagopal's wife Muthulakshmi by way of Sale Deed No. 3371/1950 registered on 06.09.1950 and since then it has been in the possession and possession of her husband Rajagopal and his family for more than 50 years. The said Rajagopal passed away on 07.01.1981 and the said Muthulakshmi passed away on 15.03.1991. The heirs of Muthulakshmi-Rajagopal, Jayaraman, Rangasamy, Ramasamy, Govindarajalu and Venkatesan, were enjoying the joint family property jointly. Thereafter, in 1996, they orally divided the suit property. Accordingly, Rangasamy would get 3 cents, Ramasamy 3 cents and the remaining 4-34 cents would go to the Plaintiff Venkatesan. The other 2 heirs agreed and have been enjoying the property accordingly. In this situation, only 1-3/4 cents of the property obtained by the above Plaintiff through verbal agreement was transferred to Patta No. 172 as per Natham Survey No. 373/8. But without transferring the patta to the name of the Plaintiff for the remaining area, the

remaining 0.0056 sq.m. of the land was mistakenly granted to the name of the 1st Defendant Sekar S/o.Ganesapathar, who had no right in the suit property in any way. That patta number is 82. The Plaintiff filed a petition with the 4th and 5th Defendants seeking cancellation of the above erroneously issued Patta No. 82. After the investigation conducted on it, the 5th Defendant cancelled the Patta under Patta No. 82 wrongly issued in the name of the above Sekar and ordered on 13.03.2023. Accordingly, the Plaintiff was granted in the Plaintiff's name for the two plots of land, namely, survey Subdivision No. 373/8 and survey Subdivision No. 373/9, by the 4th Defendant on 01.06.2023. The patta is No. 172. While the petition for cancellation of Patta No. 82 of the suit property was pending, the 1st Defendant created a registered settlement document in the name of the 2nd Defendant on 06.10.2021 vide Document No.3079/2021. Thereafter, the 2nd Defendant sold the suit property to the 3rd Defendant on 08.05.2023 vide Sale Deed No.1670/2023. The above documents are created illegally and with the intention of usurping the Plaintiff's property. Defendants 1,2,3 have no connection with the suit property. The suit property was a joint family property belonging to the Plaintiff's family and became the property of the Plaintiff by verbal agreement Defendants 1 to 3 have illegally encroached on the suit property belonging to the Plaintiff with the intention of making illegal profits by using the cancelled patta. The above Defendants 1 to 3 are still trying to trespass and encroach on the suit property which is in the possession and care of the Plaintiff. Hence the suit.

3. As the Defendants failed to appear before this court and failed to file the Written statement, there arose no framing of issues. Thereby this court has formulated the following.

4. POINT FOR DETERMINATION:

<i>Whether the Plaintiff is entitled for the relief of declaration and permanent injunction as prayed for?</i>
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5. EVIDENCE:

The Plaintiff examined as PW-1 and A-1 to A-7 were exhibited and the Defendants remain exparte.

5.1 The Plaintiff has deposed as PW-1 who reiterated the contention of the Plaintiff in Chief Examination. As per the Plaintiff, The root of title to the suit property stands established through the registered Sale Deed dated: 06.09.1950 executed in favour of Muthulakshmi, which has been exhibited as **A-1**. After the demise of Muthulakshmi and her husband Rajagopal, the legal heirs continued to enjoy the property jointly. The Plaintiff has stated that in the year 1996 an oral partition was effected among the brothers and that the suit property fell to his share. Though the other co-sharers are not parties to the present suit, the suit is not one for partition and the oral partition is relied upon only to explain the manner of possession and enjoyment. The rights, if any, of the non-impleaded co-sharers are not adjudicated in this suit and remain unaffected.

5.2 The Plaintiff has further contended that a patta was wrongly issued in the name of the 1st Defendant under Patta No.82 in respect of Survey No.373/9, though the 1st Defendant had no manner of right over the suit property. On the strength of the said patta, the 1st Defendant executed a settlement Deed dated: 06.10.2021 in favour of the 2nd Defendant, has been exhibited as **A-2**. Thereafter, the 2nd Defendant executed a Sale Deed dated: 08.05.2023 in favour of the 3rd Defendant, which has been exhibited as **A-3**. On coming to know of the said documents and the claim made on the basis of the erroneous patta, the Plaintiff applied to the Revenue Divisional Officer seeking cancellation of Patta No.82. The summons issued for enquiry have been exhibited as **A-4** and **A-5**. After conducting an enquiry, in which the 1st Defendant also participated, the Revenue Divisional Officer cancelled Patta No.82 by proceedings dated: 13.03.2023, which has been exhibited as **A-6**. No appeal has been preferred against the said order and the same has attained finality. Thereafter, patta in respect of Survey Nos.373/8 and 373/9 has been issued in the name of the Plaintiff under Patta No.172, which has been exhibited as **A-7**.

5.3 Under such circumstances, once Patta No.82 has been cancelled by the competent revenue authority, the settlement Deed and the subsequent Sale Deed executed on the strength of the said patta cannot confer any valid right, title or interest. The Defendants 2 and 3 cannot claim any better title than the 1st Defendant, who himself had no lawful right over the suit property. The Defendants have chosen to remain exparte and have neither filed a written statement nor adduced any

evidence to rebut the Plaintiff's case or to challenge the revenue proceedings. In the absence of any contra evidence, the oral and documentary evidence adduced by the Plaintiff remains unchallenged. Thereby this Court found justification that the Plaintiff is entitled for the relief sought for.

6. FINALLY,

Finally, the suit is decreed as follows:

(a) the Plaintiff's title over the suit property is hereby declared;

(b) the Defendants 1 to 3, their men, agents or anyone claiming under them are hereby restrained from interfering with the Plaintiff's peaceful possession and enjoyment of the suit property. Accordingly permanent injunction is granted.

(c) there shall be no order as to costs.

Dictated to the Steno Typist, typed by him in the Computer directly, printed, corrected and pronounced by me in the Open Court this the 29th Day of April 2026.

/sd/K.Renugadevi

District Munsif,
Panruti.
29.04.2026

PLAINTIFF SIDE WITNESS:-

PW1 – Venkatesan

PLAINTIFF SIDE EXHIBITS:-

Ex.A1	06.09.1950	The certified copy of Sale Deed executed by Rukkumani ammal in favour of Muthulakshmi.
Ex.A2	06.10.2021	The certified copy of settlement Deed executed by Sekar in favour of Sakthivel.

Ex.A3	08.05.2023	The certified copy of Sale Deed executed by Sakthivel in favour of Chandirasekar.
Ex.A4	05.01.2023	The investigation summon issued by the RDO, Cuddalore.
Ex.A5	28.02.2023	The investigation summon issued by the RDO, Cuddalore.
Ex.A6	13.03.2023	The proceedings of RDO, Cuddalore.
Ex.A7	09.02.2026	The online copy of patta No.172.

DEFENDANTS SIDE WITNESSES AND EXHIBITS: NIL

/sd/K.Renugadevi
District Munsif,
Panruti.
29.04.2026

Draft / Fair Judgment
O.S.No.63/2024
dated: 29.04.2026
DMC, Panruti. C.1.A