

IN THE COURT OF PRINCIPAL DISTRICT MUNSIF , TITTAGUDI

PRESENT: SELVI. N.SHALINI, B.Com.LL.B.(Hons.)

ADDITIONAL DISTRICT MUNSIF, TITTAGUDI

PRINCIPAL DISTRICT MUNSIF, TITTAGUDI (F.A.C)

Friday, the 12th day of June 2026

Original Suit No.103/2023

(C.N.R. No.TNCD240001512023)

Manivel

::Plaintiff

-Vs-

Suganthi

::Defendant

This suit is coming on 27.04.2026 for final hearing before me in the presence of Mr.M.Palanimuthu, Counsel for the Plaintiff; Mr.R.Srinivasan, Counsel for Defendant; Defendant set exparte for non-filing of her written statement; Upon hearing the arguments of the Plaintiff and upon perusal of all available material records and having stood over for consideration till this day, this court delivers the following;

JUDGMENT

1. The suit has been filed under Order VII Rule 1 & 26 CPC for declaration to declare that the suit property belongs to the plaintiff and for permanent injunction restraining the Defendant, their men, or agents from entering the suit property; for costs and or such other relief as this court may deem fit.

2. BRIEF AVERMENTS OF THE PLAINT:

2.1. The suit property, along with other properties not mentioned in the suit, are ancestral properties belonging to the plaintiff and their ancestors. The plaintiff and the

plaintiff's ancestors have been in possession and enjoyment of the suit property for more than 50 years. The plaintiff has been enjoying this suit property openly, with the knowledge of everyone including these defendants, and without any interruption by continuous and peaceful enjoyment. The Plaintiff has also attained the right of adverse possession over the property. Following the continuous possession by the Plaintiff, Patta was issued in his name. Ever since the issuance of Patta No.567, the Plaintiff has been paying the taxes and other dues to the government under their own title. The Plaintiff has been utilizing the water irrigation facility from Wellington Lake and continues to cultivate the necessary crops on the land to this day.

2.2. The Plaintiff has sold another property belonging to him, which is not mentioned in this suit, to the Defendant's husband viz. Karnan. The suit property is adjacent to that land, and the Defendant also owns other properties nearby. To facilitate the enjoyment of the suit property along with those other lands, on 05-09-2023 the Defendant requested the plaintiff to sell the suit property for a meager amount for which the plaintiff refused. Thereby, the Defendant began denying the Plaintiff's rights. From 01-10-2023, the Defendant has been openly stating in the village that he will trespass onto the suit property and evict the Plaintiff. Hence, the present suit.

3. The Defendant was called absent and set exparte on 27-03-2024.

4. POINTS FOR DETERMINATION:

I. Whether the plaintiff is entitled to the reliefs as prayed for?

In order to establish the case of the plaintiff both oral and documentary evidence have been adduced. The plaintiff has been examined as PW1 and through him Ex.A1 to A5 were marked. A third-party witness has been examined as PW-2. Heard the oral arguments of the learned counsel for Plaintiff.

5. DISCUSSION AND REASONING

5.1. As per the plaint averments, the suit property along with other properties are the ancestral property belonging to the plaintiff and their ancestors. The plaintiff and the plaintiff's ancestors have been in possession and enjoyment of the suit property for more than 50 years. The plaintiff has been enjoying the suit property continuously without any interruption. Accordingly, Patta No.567 was issued in his name and ever since he has been paying the taxes and other dues to the government.

5.2. Ex-A1 is the webcopy of the patta No.567 in the name of the plaintiff. Ex-A2 is the webcopy of the A-Register in the name of the plaintiff. Ex-A3 is the webcopy of the FMB sketch for the suit property. Ex-A5 is the web copy of the encumbrance certificate for the suit property for the period from 01-01-1987 to 25-11-2019. Ex-A5 is the true copy of the Adangal pertaining to the suit property for the fasili 1433 which correlates to 2023 Gregorian calendar year. However, the Adangal in Ex-A5 has been issued by the Village Administrative Officer and thereby the said document cannot be considered by this court.

5.3. PW-1 has deposed that he is in enjoyment of the suit property for more than 50 years and that he in continuous possession. Moreover, he has perfected title by adverse possession. Thereby, he has obtained patta and paying the taxes to the government.

5.4. PW-2 is a third-party witness and that he has deposed that he is well aware that the plaintiff is in possession and enjoyment of the suit property for more than 50 years and that on many occasions he has worked in the suit property belonging to the plaintiff.

5.5. There are no documents on record to show that the plaintiff has been in possession for the past 50 years. Moreover, the adangal has not been filed for each fasili to show the continuous possession and enjoyment by the plaintiff. Though the plaintiff has pleaded that he is paying the taxes to the government, no documentary evidence has been produced to establish the said fact. The kist receipts or the property tax receipts have not been exhibited before this court.

5.6. It is a well-established position of law that mere patta will not confer title. The revenue records alone cannot be the basis for grant of declaration of title. The patta, which is a revenue record, is issued based on certain particulars provided by the person, who seeks patta before the revenue authorities and therefore, the same cannot be construed as a conclusive proof for grant of title. The patta could only consolidate and serve as an additional document of title with some other document of title deeds. But other than patta, no documents have exhibited before this court to show the lawful ownership of the plaintiff. Furthermore, except Patta and A-Register, no documents have been filed to prove the continuous possession and enjoyment of the plaintiff. ***Accordingly, the plaintiff has not established his lawful ownership over the suit property and hence this issue is answered against the plaintiff.***

6. To what other relief is the plaintiff entitled for ?

6.1 Taking into account the facts and circumstances of the case, this court is not inclined to grant any relief to the plaintiffs. Considering the nature of the suit, this court is not inclined to award costs to the Plaintiff.

In the result, the suit is dismissed. No costs.

Directly typed by me in my laptop, formatted by Steno Typist, corrected and pronounced by me in the open court, on this the 12th day of June 2026.

Principal District Munsif, (F.A.C)
Tittagudi.

LIST OF WITNESSES EXAMINED ON THE SIDE OF THE PLAINTIFF:

PW1: Manivel,

PW2 : Purasamy

LIST OF DOCUMENTS MARKED ON THE SIDE OF THE PLAINTIFF:

Ex.No	Date	Description of the Document	Nature
Ex.A1	09.10.2023	Patta No.567 in the name of the Plaintiff	Web Copy
Ex.A2	-	A-Register in the name of the Plaintiff	Web Copy
Ex.A3	19.10.2023	FMB Sketch for S.No.80	Web Copy
Ex.A4	26.11.2019	Encumbrance certificate from 01-01-1987 to 25-11-2019	Web Copy
Ex.A45	19.10.2023	Adangal issued by the Village Administrative Officer	True copy

LIST OF WITNESSES EXAMINED AND DOCUMENTS MARKED ON THE SIDE OF THE DEFENDANT: NIL

Principal District Munsif, (F.A.C)
Tittagudi.

Fair Judgment
O.S.No.103/2023
Date: 12.06.2026