

**IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUKAZHUKUNDRAM**

**PRESENT: Thiru.S.Vineeth, B.A, B.L.,(Hon's)
District Munsif cum Judicial Magistrate,
Thirukazhukundram**

Wednesday, the 06th day of August 2025

O.S.No.32/2021

CNR.No.TNKP110001132021

1. A.Viswanathan
2. V.Thiyagarajan

....Plaintiffs.

-Vs-

Ramesh

....Defendant.

This suit coming before me for final hearing on this day in the presence of Mr.S.Sundaravadivelu learned counsel for the plaintiffs and M/s.K.Varadharajan, K.Jahir Hussain, Sarma, E.Malathi learned counsels for the defendant, plaintiffs called absent, no representation, this court delivers the following,

JUDGMENT

Suit for (i) granting damages for a sum of Rs.65,000/- for the loss sustained by them in connection with the destruction caused to the 11 fencing posts situated in the suit properties and making the land unworthy for cultivation by the atrocities exercised by the defendants, directing the defendant to pay the same (ii) mandatory injunction directing the defendant to restore the 11 cement posts/pillars and for costs.

Issues framed

1. Whether it is true that the Defendant had damaged 11 fencing posts in the suit property?
2. Whether the plaintiff is entitled for damages as prayed for?
3. Whether the plaintiff is entitled for Mandatory injunction as prayed for?

4. To what relief?

At this stage, Plaintiff absent, no representation. Defendant counsel present. Already sufficient opportunities given to plaintiff but plaintiff side failed to commence trial. There is no progress in this case and the case is pending for more than 2 years. Hence in the interest of justice, this suit is dismissed for default.

In the result, this suit is dismissed for default. No costs.

Pronounced by me in the open court this 06th day of August 2025.

(Sd) S.Vineeth, 12.08.2025
District Munsif cum Judicial Magistrate
Thirukalukundram.

PLAINTIFF SIDE WITNESSES AND EXHIBITS :

-NIL-

DEFENDANT SIDE WITNESSES AND EXHIBITS :

-NIL-

(Sd) S.Vineeth, 12.08.2025
District Munsif cum Judicial Magistrate
Thirukalukundram.