

IN THE COURT OF THE DISTRICT MUNSIF, MADURANTAKAM.

PRESENT: Tmt. G. Priya, B.A.M.L.,

District Munsif, Madurantakam.

Thursday the 7th day of April 2022

CNR No.TNKP0C0001062020

O.S.101/2020

Kali

..Plaintiff..

..Vs..

Subramani

..Defendant..

This Suit is Coming before me for final hearing on today the Presence of Tr.E.Rajangandhi counsel for Plaintiff and Tr.S.Rajkamal counsel for Defendant and PW1 not present and upon perusing the records and having stood over for consideration and till this day this court delivered the following:

JUDGMENT

Suit for Mandatory injunction by directing the defendant to demolish his illegal house construction over the 'B' schedule common pathway and on his failure to do the same through processes of court and to grant Permanent injunction restraining the defendant, his men, agents, servants, or representatives from in any way put up compound wall over the 'B' schedule property and for cost.

IN THIS COURT FRAMED THE FOLLOWING ISSUES:

1. Where the 'B' schedule of property measuring to an extent of 7" Breath and 200" ft length running south to north from village cement Road is a common pathway?

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2. Whether the Defendant has encroached the 'B' schedule of property to an extent of 2 ½ ft on western side and 25ft on the north to south?
3. Whether the Plaintiff is entitled for Mandatory injunction against the Defendant over the 'B' schedule common pathway?
4. Whether the Defendant is trying to put up compound wall on the back portion on the western of the 'B' schedule of property?
5. Whether the Plaintiff is entitled for the Relief of Permanent injunction over the 'B' schedule of property?
6. To what other relief the plaintiff is entitled for?
7. Whether the Plaintiff is entitled over cost for the suit?

PW1 not present. Already sufficient opportunity is given as pw1 is not ready to proceed with his case hence this suit is dismissed for default.

Pronounced by me in Open Court on this the 7th day of April 2022.

**District Munsif,
Madurantakam.**

Plaintiff side Witness :

PW1 - Kali

Plaintiff side documents:

ExA1 - Patta

ExA2 - House Tax Receipts

ExA3 - Acknowledgement card

ExA4 - EB Receipt

ExA5 - Photo with CD

Defendant side Witness and Documents

NIL

**District Munsif,
Madurantakam.**

JUDGEMENT

O.S.101/2020

D.D.07/04/2022

DMC,MKM.

IN THE COURT OF THE DISTRICT MUNSIF AT MAURANTAKAM
PRESENT: Tmt. G. Priya, B.A.M.L.,
District Munsif, Madurantakam.
The 14th day of December 2020
O.S. 101/2020

Kali

..Plaintiff..

..Vs..

Subramani

..Defendant..

This suit coming before me today in the presence of Tr.S.Jothi Counsel for Plaintiff and of Tr.Rajkamal Counsel for Defendant and today this court framed the following issues.

FAIR ISSUES

1. Where the 'B' schedule of property measuring to an extent of 7" Breadth and 200" ft length running south to north from village cement Road is a common pathway?
2. Whether the Defendant has encroached the 'B' schedule of property to an extent of 2 ½ ft on western side and 25ft on the north to south?
3. Whether the Plaintiff is entitled for Mandatory injunction against the Defendant over the 'B' schedule common pathway?
4. Whether the Defendant is trying to put up compound wall on the back portion on the western of the 'B' schedule of property?
5. Whether the Plaintiff is entitled for the Relief of Permanent injunction over the 'B' schedule of property?
6. To what other relief the plaintiff is entitled for?
7. Whether the Plaintiff is entitled over cost for the suit?

List of witnesses and documents in two weeks time. Trial call on 05.01.2021.
Given under my hand and the seal of this court on this the 14th day of December 2020.

District Munsif,
Madurantakam.

