

**IN THE COURT OF THE I ADDITIONAL DISTRICT MUNSIF,
NAGERCOIL.**

Present: **Tmt. K. Chithra, B.A., B.L., (Hons)**

I Additional District Munsif,(FAC) Nagercoil.

Thursday, on this the 19th day of February, 2026

IA. No. 20 of 2026

in

OS.No. 84 of 2015

M. Mary Nirmala

... Petitioner/Plaintiff

-vs-

1. M. Antony Lawrence

2. A. Lourthammal

... Respondents / Defendants

This petition came up before this Court on 18.02.2026 in the presence of Advocate Thiru.B.J. Joy Baskaradhas for the Petitioner/Plaintiff, and Advocate Thiru. A.Gnana Sekar for the 1st, 2nd Respondents/Defendants and upon perusing the case records and having stood over for Consideration till this day, this Court delivers the following:

ORDER

1. This petition was filed under Section 30, Order XIII Rule 8 of Code of Civil Procedure and Section 35 of Stamp Act, Seeking to impound the unregistered Settlement Deed filed and marked as exhibit on the side of the

Defendant in this case.

2. This Petition was filed under Section 30, Order XIII, Rule 8 Code of Civil Procedure to impound the unregistered settlement deed / Ex.B8.

3. The Petitioner stated that he is the Plaintiff. The Ex.B8 / unregistered settlement deed was marked by Defendant as DW1 in his evidence. As per stamp Act, Registration Act, this petition was filed to impound the Ex.B8 by collecting fine, stamp duty and other charges.

4. In counter the Respondent alleged that admittedly the suit Schedule property is belonged to Kottar Chettur Nainar Desiga Vinayagam Devasthanam Trust. The suit Schedule property was leased to partie's father (i.e.) ground lease. Possessory right was conveyed to the defendant. As suit Schedule property belonged to Trust, The Registration Act does not apply. Ex.B8 was marked for collateral purpose to the fact of defendant's possession in Schedule property. Hence it is to be dismissed with cost.

5. Record / Perused Both side enquiry heard,

6. On perusal of pleadings, it is found that the suit property belonged to Kottar Chettur Nainar Desiga Vinayagam Devasthanam Trust and it is admitted facts by both parties . But the said Trust is not a party to this suit. The Ex.B8 / unregistered Settlement deed was marked by defendant in his evidence. The Petitioner/Plaintiff does not have locus standi to file this application. Without leave of court of law, the deed with respect to property of Trust cannot be executed or registered. Hence this petition Interest of Justice is dismissed as

it is not maintainable. No costs.

Hand written in the Docket and pronounced by me in Open Court this,
the 19th day of February 2026.

Sd/- K. Chithra
I Additional District Munsif(FAC)
Nagercoil.

\

I.A.20/2026
OS.84/2015
Draft/Fair Order
Dated:19.02.2026