

**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.

Wednesday, on the 11th day of March, 2026.

O.S.No. 180 of 2017

(CNR No: TNKK04-000293-2017)

Vincent, S/o. Varuvel, aged 76 years, residing at Door No 33/6, Henry Street, Nesamony Nagar, Nagercoil, Nagercoil Village, Agasteeswaram Taluk, Kanyakumari District. ... Plaintiff

-vs-

1. C. Visvakumar, S/o. Cruze Micheal, aged 47 years, residing at 4-304 A, Thampathukonam, Erumpukadu (PO), Nagercoil-629 004., Neendakarai 'A' Village, Agasteeswaram Taluk, Kanyakumari District.
2. The Assistance Engineer, Water Resources, PWD Irrigation, Nagercoil, Kanyakumari District.
3. The State of Tamil Nadu Represented by the District Collector; Office at Collectorate, Kanyakumari District, Nagercoil.

... Defendants

Suit presented on ... 12.07.2017

Suit filed on ... 12.07.2017

This Suit was filed for the relief of declaration declaring the right of the plaintiff and other beneficiaries of plaint 'B' schedule property to get water from it and using it as source of ingress and egress for their properties and for mandatory injunction directing the first defendant to remove the bridges that he has constructed

in the plaint 'B' schedule property. If he fails to remove the bridge despite decree the defendants 2 & 3 may be directed to remove the bridges and to recover the cost incurred from the first defendant and for permanent injunction restraining the first defendant and his men and agents from encroaching or making any construction in the Plaint 'B' schedule property and for cost of this suit.

Cause of action for the suit arose on 27.05.1994, 19.05.2017, 04.07.2017, 20.06.2017, 11.07.2017, arose at Neendakarai 'A' Village which is within the jurisdiction of this Court.

For the purpose of jurisdiction and court fee 'A' relief of declaration of right of this Plaintiff and other beneficiaries of 'B' schedule is valued at Rs.5,000/- and a court fee of Rs.150/- has been paid as per section 25 (d) of Tamil Nadu Court fees and Suit Valuation Act 14 of 1955 as amended by Act 6 of 2017. 'B' relief of Mandatory injunction is valued at Rs. 5,000/- and a court fee of Rs.150/- has been paid as per section 27 (c) of Tamil Nadu Court fees and Suit Valuation Act 14 of 1955 as amended by Act 6 of 2017 and 'C' relief of injunction is valued at Rs.5,000/- and a court fee of Rs.150/- has been paid as per section 27 (c) of Tamil Nadu Court fees and Suit Valuation Act 14 of 1955 as amended by Act 6 of 2017. The Total court fee paid is Rs.450/-

This suit is came up before this Court on 11.03.2026 in the presence of Advocate Thiru.L.Rajathurai, for the Plaintiff and Advocate Thiru.N.S.Arumugavel for the 1st Defendant and Government Pleader Thiru.C. Johnson for the 2nd and 3rd

Defendants and upon perusing the case records and having stood over for consideration till this day, and this Court doth decree as follows,

DECREE

1. that the suit be and hereby is dismissed for default,
2. that the Plaintiff is directed to pay a sum of Rs.--/(Nil) towards the costs of the Defendant

(Defendant side cost memo not filed)

Given under my hand, and seal of this court, this the 11th day of March, 2026.

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

SCHEDULE OF PROPERTIES

'A' SCHEDULE PROPERTY

District	:	Kanyakumari
Taluk	:	Agasteeswaram
Village	:	Neendakarai 'A'
Re-survey	:	479/4
Area	:	19.5 acres (32 . 1/2 cents)
Description	:	32 . 1/2 cents of land with the right to get water from the plaint 'B' schedule property.

BOUNDARIES:

East	:	Property of Yesua contractor
West	:	Property of Cruze Michael and 'B' schedule property

- North : Property Thiravium Nadar (now owned by the defendant)
- South : Property of Ramauthayamarthandam Nadar (now owned by the defendant)

'B' SCHEDULE PROPERTY:

- District : Kanyakumari
- Taluk : Agasteeswaram
- Village : Neendakarai 'A'
- Re-survey : 482 Part, 481/4, 480/1, 484/4
- Area : about 497 Sq. meter
- Description : The water course that commences from the 4th sluice in the Karavilai channel on the west and ends in the middle of the western boundary of plaint 'A' schedule property having the average width of about 2 meter.

BOUNDARIES:

- East : A schedule property survey 479/5, 480/2, 479/1, 479/2, 481/5
- West : Road Survey 481/8, 481/3, 479/3B
- North : 4th Sluice in Karavilai Channel Survey 481/1, 482/2, 481/3 (Owned by first defendant) & plaint 'A' Schedule property
- South : Road, Survey 481/5, 481/6, 481/7, 481/8, 480/3

Sd/-
D.C

Sd/-
H.C

Sd/- (K. Chithra)
IADM(FAC)

I ADM, Nagercoil
Decree in
O.S.No.180 of 2017
Dated : 11.03.2026