

**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.

Friday, on the 27th day of March, 2026.

O.S.No. 364 of 2011

(CNR No: TNKK04-000323-2011)

1. Omana Thankachy, D/o. Hymavathy Thankachy, aged 68 years, Housewife, residing at T.C.27/309, Gowrivilas, ARA-88, Athani Road, Vanchiyoor Thiruvananthapuram , Kerala State. (Died on 08.07.2022) (1st Plaintiff died – amended as per order in I.A.No.5/2025 dated 23.06.2025)
2. Dersini Venugopal, D/o. Omana Thankachy, aged 40 years, Advocate, residing at T.C. 27/309, Gowrivilas, ARA-88, Athani Road, Vanchiyoor, Thiruvananthapuram, Kerala State.
3. Deepthi Suresh D/o. Omana Thankachy, aged 42 years, residing at T.C.27/309, Gowrivilas, ARA-88, Athani Road, Vanchiyoor, Thiruvananthapuram, Kerala State.
4. Smrithi Giri D/o. Late Deepa Lekshmi, aged 21 years, residing at T.C.27/309, Gowrivilas, ARA-88, Athani Road, Vanchiyoor, Thiruvananthapuram, Kerala State.
5. Sruthi Giri D/o. Late. Deepa Lekshmi, aged 21 years, residing at T.C.27/309 Gowrivilas, ARA-88, Athani Road, Vanchiyoor, Thiruvananthapuram Kerala State. ...Plaintiffs

-vs-

1. Jayarajan, (Father's name not known to the Plaintiffs), aged about 50 years, Jail Warden, No.325-4, Kottakarai, Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District (Died on 22.05.2012)

2. Anis W/o. Late Jayarajan, aged 42 years, Household duties, Door No.6/325-4, Kottakarai, Kovalam, Kanyakumari Main Road, Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District.
3. Aswin Jehosh S/o. Late Jayarajan, aged 19 years, Student Door No.6/325-4, Kottakarai, Kovalam, Kanyakumari Main Road, Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District.
4. Ashmi Grace, D/o. Late Jayarajan, aged 16 years, Student, Door No.6/325-4, Kottakarai, Kovalam, Kanyakumari Main Road, Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District, Minor, represented by her mother, natural guardian as her next friend the proposed additional 2nd defendant Anis, W/o. Late Jayarajan, residing at Door No.6/325-4, Kottakarai, Kovalam, Kanyakumari Main Road, Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District.

(Addl. D2-D4 impleaded & plaint amended as per order passed in I.A.No. 646/2014 dated 04.08.2016 and I.A.No.1/2019 dated : 09.04.2019)

... Defendants

Suit presented on ... 29.07.2011

Suit filed on ... 29.07.2011

This suit was filed for the relief of i. Declaring the right and title of plaintiffs over the plaint 'A' schedule property, and ii. Recovery of possession of the plaint 'A' schedule property to the plaintiffs from the illegal custody of the trespasser defendant, and iii. Demarcating the 'B' schedule boundary by measuring the plaint 'A' schedule property in accordance with the sale deed No.73 dt.07.01.1970 registered in Kottaram sub registry and for putting up the said boundary by

construction of compound wall of five feet height using granite stones, bricks, cement mortar, etc., at the cost of the plaintiffs, and iv. Permanent prohibitory injunction restraining the defendant and his men from altering the physical features or putting up any sorts of construction or destroying any of its boundaries or from doing any act affecting the plaintiff's right and title over the plaint 'A' schedule property and from alienating or making any sorts of encumbrance in respect of the plaint 'A' schedule property, along with the costs of the suit.

Cause of action for the suit arose on 07.01.1970, 24.06.1987, 14.06.2008, 29.06.2011, 03.07.2011, arose at Agasteeswaram Village within the jurisdiction of this court.

For the purpose of court fees and jurisdiction, this suit 'A' relief is valued at Rs.22,500/- being the market value of the schedule property and a court fee of Rs.1,688.00 is paid under section 25 (a) of Tamil Nadu Court Fees and Suits Valuation Act 14 of 1955; 'B' relief is valued at Rs.22,500/- and a court fee of Rs.100/- is paid under section 50 of the aforesaid Act and 'C' relief is valued at Rs.1,000/- and a court fee of Rs.75.50 is paid under section 27(c) of the aforesaid Act. Total Valuation of suit is Rs.46,000/- Total Court fees paid is Rs.1,863.50

This Suit came up before me on 23.03.2026 for a final hearing in the presence of Mr.M.S.Moorthy, Advocate for the Plaintiffs and Mr.N.M.Sukumaran, Advocate for the Defendants, and upon hearing the plaintiffs side arguments, and defendants side arguments and upon perusing the available case records and having stood over for consideration till this day, this Court doth decree as follows,

DECREE

1. that the suit be and hereby is dismissed
2. that the Plaintiff is directed to pay a sum of

Rs.6,565.00/- towards the costs of the Defendants

Given under my hand, and seal of this court, this the 27th day of March, 2026.

Sd/-(K. Chithra)

I Additional District Munsif (FAC),
Nagercoil.

Defendants side cost memo Particulars:

	Plaintiff side Rs.	Defendants side Rs.	
1. Vakalath	-	10.00	
2. Advocate fees	-	4370.00	
3. Junior Advocate fees	-	2185.00	

Total	-	6565.00	-----

(Cost memo filed by the Defendants. Cost is allowed)

SCHEDULE OF PROPERTIES

'A' SCHEDULE

District	:	Kanyakumari
Taluk	:	Agasteeswaram
Village	:	Agasteeswaram
Old Sy.No.	:	6013 (Amended as per order in I.A.No.6/2025 dated 31.07.2025)
Re.Sy.No.	:	528/5B2, C2, D2, and E2, 528/5A2, 5F & 5G (Amended as per order in I.A.No.6/2025 dated 31.07.2025)
Extent	:	15 cents

Description:

15 cents of land with a small building therein, which was acquired by the first plaintiff by virtue of the sale deed No.73/1970 of the Kottaram Sub Registry.

Boundaries:

North	:	Old Sy. No. 6015
East	:	Property of Ramakrishna Pillai
South	:	Kovalam Road
West	:	Property of Kumar

'B' SCHEDULE

Boundary line in between the property of Ramakrishna Pillai and plaintiff's 'A'
Schedule property.

Sd/-

D.C

Sd/-

H.C

Sd/-(K. Chithra)

IADM(FAC)

I ADM, Nagercoil
Decree in
O.S.No.364 of 2011
Dated : 27.03.2026