

**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 the 09th day of April, 2026.

O.S.No. 190 of 2023

(CNR No: TNKK04-000338-2023)

D. Joseph Arulraj, aged 60, Christian, S/o. Devadhasan Nadar (late), residing at Church Street, Azhagappapuram Post, Azhagappapuram Revenue Village, Agastheeswaram Taluk, Kanyakumari District.

...Plaintiff

-vs-

Mrs. Leelarose, aged 58, W/o. Devaraj, Christian, residing at 1/275, Selvakumar Avenue, Okium, Okium Revenue Village, Thuraipakkam, Chennai – 600097.

... Defendant

Suit presented on ... 13.12.2023

Suit filed on ... 15.12.2023

This suit was filed for the relief of i. Permanent injunction restraining the defendant, his men, or his agents or anybody claiming under the defendant from made any aerial encroachment or any act of encroachment into the plaint schedule property; and ii. Mandatory injunction directing the defendant to remove the aerial encroachment committed over 3 feet length 1 ½ feet width 2 concrete sunshade and a roof terrace balcony by the length of 34 feet and 10 inches on the western side of the plaint schedule property and 2 ¼ feet length and 1 ½ feet width concrete sunshade on

northern side of the plaint schedule property for in case if the plaintiff fails to remove the aerial encroachment as directed by the Hon'ble court then the same shall be removed by the plaintiff and the costs to be recovered from the defendant; and along with cost of suit.

Cause of action for the suit arose on 11.10.1971, 19.11.2023, arose at Azhagappapuram Revenue Village which is within the jurisdiction of this court.

For the purpose of court fee and jurisdiction plaint A relief of permanent injunction valued at Rs.1000/- and a court fee of Rs.30/- is paid under section 27(c) of the Tamil Nadu Court Fees and Suit Valuation Act XIV of 1955 and plaint B relief of mandatory injunction valued at Rs.1000/- and a court fee of Rs.30/- is paid under section 27(c) of Tamil Nadu Court Fee and Suit Valuation act 1955 and C and D relief are discretionary. Hence court fee is not paid. Thus a total court fee of Rs.60/- is paid. Total suit valuation Rs.2000/- only.

This Suit came up before me on 30.03.2026 for a final hearing in the presence of Mr.K.T.Elango, Advocate for the Plaintiff and Mr.A.Gnana sekar, Advocate for the Defendant and upon hearing the plaintiff side arguments, and defendant 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 are directed to pay a sum of Rs.1,370.00/-
to the defendant being the cost of this suit.

Given under my hand, and seal of this court, this the 09th day of April, 2026.

(Sd/-K.Chithra)

I Additional District Munsif (FAC),
Nagercoil.

Defendant side cost memo Particulars:

	Plaintiff side Rs.	Defendant side Rs.
1. Vakalath	-	10.00
2. Typing fee	-	200.00
3. Stamp on documents	-	35.00
4. Senior Advocate fee	-	750.00
5. Junior Advocate fee	-	375.00
Total	-	1,370.00

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

SCHEDULE OF PROPERTY

District	:	Kanyakumari
Registration District	:	Kanyakumari
Sub Registration District	:	Kottaram
Taluk	:	Agastheeswaram
Revenue Village	:	Azhagappapuram
Resurvey No.	:	453/9
Description of property	:	The pathway having 6 feet width, starts from car street and runs North to South then turs towards West and runs East to West.

Boundaries:

East	:	Soosamarian Property
West	:	Defendant House
South	:	Plaintiff Property
North	:	Car Street

Sd/-
D.C

Sd/-
H.C

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

I ADM, Nagercoil
Decree in
O.S.No.190 of 2023
Dated : 09.04.2026