

**IN THE COURT OF ADDITIONAL DISTRICT MUNSIF,
PADMANABHAPURAM.**

**Present: Tmt, S. Immaculate Buddha, B.Sc., L.L.M,
Additional District Munsif.**

Monday, 9th day of June 2025

O.S.No. 148/2023

CNR.No.TNKK08-000260-2023

1. Muthukumar, son of Rajendran, aged 47 years, Nadar, residing at Muthu Nager, House Door No: 25/3A, Thovalai, Thovalai Village, Thovalai Taluk, Kanyakumari District. (Cell No.9487853999) ... Plaintiff

/ Vs /

1. Jababai, W/o.Justus Daniel, aged about 65 years, residing at Pampattikaraikadu, Near C.S.I Church, Vendalicode, Vendalicode Post, Ponmanai Village, Thiruvattar Taluk, Kanyakumari District.

2. Arul Kumar, S/o. Selvaraj, aged 55 years, residing at Door No: 5/80, Therkey Kuzhivilai, Mathoor, Aruvikkarai Post, 629177, Aruvikkarai Village, Thiruvattar Taluk, Kanyakumari District.

3. Pushpalatha, W/o. Arul Kumar, aged 50 years, residing at Door No: 5/80, Therkey Kuzhivilai, Mathoor, Aruvikkarai Post, 629177, Aruvikkarai Village, Thiruvattar Taluk, Kanyakumari District.

4. Sunitha, W/o. Mariadhas, aged 45 years, residing at Kulikkalaivilai, Chenkody Post, Meycode Village, Thiruvattar Taluk, Kanyakumari District
... Defendants

Date of presentation : 20.12.2023

Date of last presentation : --

Date of Filing : 20.12.2023

Suit is filed for demarcation of plaint 'A' schedule property from the property of defendants after fixing the western limits of the plaint 'A' schedule property with reference to re-survey plan and title deed and for putting up of western boundary on the demarcating western boundary lines of the plaint 'A' schedule property, Recovery of plaint 'B' schedule property (which is the part of plaint 'A' schedule property) from the 1st defendant and declare and other reliefs.

Cause of action for this Suit arose on 18-02-2009 being the date of sale deed infavour of the plaintiff and on 20-08-2023 being the date of encroachment made by the 1st defendant and the police complaint presented by the plaintiff and on 25-08-2023 being the date of application presented by the plaintiff to the Thiruvattar Taluk for demarcation and putting up of boundaries and on 21-11-2023 being date of measurement fixed by the Taluk Surveyor and obstruction made by the 1st defendant to fix the demarcating western boundary line of the plaint A schedule property and every other subsequent dates and the same arose at Aruvikkarai Village, Thiruvattar Taluk, Where the plaint schedule property situates, which is within the Jurisdiction of this Honourable Court.

For the purpose of court fee and suit valuation the 'A' relief of demarcation and putting up of boundary is valued as Rs. 1000/- and a fixed a

court fee of Rs. 100/- is paid under Section 50 (ii) of the Tamil Nadu Court fee and Suit valuation Act XIV of 1955 and 'B' relief of recovery of possession of 'B' schedule property is valued at Rs. 77000/- and a court fee of Rs. 2310/- is paid under section 25 (a) of Tamil Nadu Court Fee and suit valuation Act XIV of 1955. Thus a total court fee of Rs. 2410/- is paid.

This suit is coming before me for final hearing in the presence of Adv. Mr.T.J.Panneer Selvam, learned counsel for the plaintiff and defendants called absent and set exparte. Upon hearing the plaintiff counsel and on perusal of records having stood over for consideration till this day, this court doth decree as follows:-

DECREE

1. that the suit be and hereby is decreed,
2. that the suit be and here by is granting a decree of demarcation on the western side of plaint 'A' schedule property.
3. that the suit be and hereby is granting a decree of declaration and recovery of possession of encroached portion on the western side of plaint 'A' schedule property.
4. that the suit be and hereby the commissioner report and plan to be appended with decree.
5. that there be no costs.

Given under my hand and seal of this court, this the 9th day of June 2025.

Additional District Munsif,
Padmanabhapuram.

Particulars of cost.**Plaintiff's side**

Rs. Ps

1. Court Fees	2500.00
2. Vakalath Fees.	10.00
3. Process Fees	25.00
4. Typing Charges	200.00
5. Advocate Fees	7450.00
6. Commission Fees	<u>7500.00</u>
Total	<u>17685.00</u>

Particulars of cost.

Cost memo filed.
cost not allowed.

Schedule of Properties:-**A-SCHEDULED PROPERTY**

District	--	Kanyakumari
Taluk	--	Thiruvattar
Village	--	Aruvikara
Re.Sy.No	--	95/1B
Extent	--	88 cents (35.6131 ares)

Description of Property:-

Eighty Eight Cents of Property in R.S.No: 95/1B of Aruvikarai Village with land and trees.

Boundaries :-

East	--	Vaikkal, and Road
South	--	Vaikkal and R.S.No: 95/3 property of defendant 2 to 4
West	--	Property of Selvaraj and property of 1 st defendant Jeba Bai (R.S.No: 95/1A)
North	--	Property Yobai Now Vaikkal and Road

B-SCHEDULED OF PROPERTY

District	--	Kanyakumari
Taluk	--	Thiruvattar
Village	--	Aruvikarai
Re.Sy.No	--	95/1B
Extent	--	11 cents

Description of property:-

Eleven cents of property on the western side of plaint A schedule property including the portion of plaint A schedule property.

Boundaries

North	--	Property of Yobai and Road
South	--	R.S.No: 95/3 and Vaikkal and property of D2 to D4
East	--	Vaikkal and Road
West	--	1 st defendant Jeba Bai property

S.T.

H.C.

ADM

ADMC, Padmanabhapuram.
O.S.No.148/2023
CNR.No.TNKK08-000260-2023
Decree:
Dt:09.06.2025