

In the Court of the Principal District Munsif, Padmanabhapuram.

Present: **Thiru. R.Karthikeyan, B.A.,B.L., (Hons)**

Principal District Munsif.

Monday, the 10th day of March 2025.

Original Suit No. O.S. 145/2023

S.Arumai Raj

.. Plaintiff

Vs

1. S.Thanga baby

2. Devika

3. Rashika

4. Rahul

..Defendants

This suit is coming before me for final hearing in the presence of Mr. C.Vijaya Kumar, learned counsel for the Plaintiff, and of D1 to D4 called absent set exparte. Upon perusal of records this court delivered the following.

JUDGMENT

Suit for Permanent Injunction and Declaration

Plaintiff counsel present. No exparte evidence posted on the plaintiff side. Sufficient time granted to the plaintiff. Hence considering the nature and circumstance of the case and period of adjournment granted. In the Interest of Justice, suit is dismissed for default. In the result, suit is dismissed.

Pronounced by me in open court, this the 10th day of March 2025.

sd/-

Principal District Munsif,
Padmanabhapuram.

P.D.M.C.

OS.NO. 145/2023

DRAFT/FAIR/JUDGMENT

DATE: 10.03.2025

In the Court of the Principal District Munsif, Padmanabhapuram.

Present: **Thiru. R.Karthikeyan, B.A.,B.L., (Hons)**

Principal District Munsif.

Monday ,the 10th day of March 2025

Original Suit No.145/2023

S.Arumairaj, S/o. Sivalingam, Male, Aged 65, Hindu, Sambavar, retired TNSTC Driver Residing at 16/17, EWS N.H.I, Ponmudiyor Street, Maraimalai Nager Post, Katten Kulathoor Village, Chenkalpattu Taluk, Chenkalpattu District.

..Plaintiff.

/Vs./

1. Thangababy, W/o.Late.R.Mani, Female aged 57, Hindu, Sambavar, residing at 11/2,Yadhavar Second Street, East street, Palayan Kottai Post, Palayan Kottai Village, Thirunelveli District.

2. Devika, D/o.Late.R.Mani, Female aged 30, Hindu, Sambavar, residing at 11/2,Yadhavar Second Street, East Street, Palayan Palayan Kottai Post, Palayan Kottai Village, Thirunelveli District.

3. Rashika, D/o. Late. R.Mani, Female aged 28, Hindu, Sambavar, residing at 11/2,Yadhavar Second Street, East street, Palayan Kottai Post, Palayan Kottai Village, Thirunelveli District.

4. Rahul, S/o.Late. R.Mani, Male, aged 26, Hindu, Sambavar, residing at 11/2,Yadhavar Second Street, East street, Palayan Kottai Post, Palayan Kottai Village, Thirunelveli District.

..Defendants.

A.The plaintiff be given a decree for permanent Injunction restraining the defendants, their men or agent from put up any constructions or blocking the plaintiff B schedule pathway to access the plaintiff A scheduled property from the road, in any manner.

..2..

B. The plaintiff be given a decree for declaration, declaring the easement right of necessity over the plaint B scheduled property.

C. The plaintiff be given the cost of the suit.

D. And such other reliefs as this Honorable court deems just and proper in the nature and the circumstances of the suit.

Date of Presentation : 16.12.2023
Date of filing : 16.12.2023

The cause of action for the suit arose on 10.03.2017 being the sale deed in favour of plaintiff in Doc.No-647 of 2017 of Thuckalay Sub registry and on 10.12.2023 being the last attempt made by the defendants, which arose at Chaddayamangalam village which is within the Jurisdiction of this Honourable court.

For the purpose of court fee and jurisdiction A relief is valued at Rs.1000 and court fee of Rs.30/- is paid under section 27 (C) of the Tamil Nadu Court fees and suits valuation Act 14 of 1955, B relief is valued at Rs.1000/- and a court fee of Rs.30/- is paid U/S.31 of Tamil Nadu Court fee and Suits Valuation act 14 of 1955.

This suit is coming before me for final hearing in the presence of Mr. C.Vijaya Kumar, learned counsel for the Plaintiff, and of D1 to D4 called absent set exparte. Upon perusal of records stood over for consideration till this day, this court doth order and decreed as follows.

DECREE

- 1 . that the suit be and here by is dismissed for default.
2. and that there be no order as to costs.

Given under my hand and the seal of this court this the 10th
day of March 2025.

Principal District Munsif,
Padmanabhapuram.

A- SCHEDULE OF PROPERTY

District		Kanyakumari
Taluk	-	Kalkulam
Village	-	Chadayamangalam
Resurvey	-	564/11
Area	-	6 cent

DESCRIPTION OF PROPERTY

நீசர்வே 564/11-ல் 0.09.5 ஏர் பரப்பில் வடக்கு மேக்கு மூலையில் கிடப்பு 9 1/2 சென்று மணையை தொட்டு தெக்கணையா கிடப்பதும் கீழ்குறிப்பிடும் எல்லைக்குள் கொண்டதும் இத்துடன் இணைத்திருக்கும் பிளான்படியும் வடக்கு 24.50-ம், கிழக்கு 10.50-ம் தெற்கு 22.50-ம் மேற்கு 10.70 -ம் மீட்டர்கள் அளவு கொண்ட 6 சென்றுக்கு சரியான 242.82 சதுரமீட்டர் பரப்பு கொண்ட மணையாகும். ஷை மணையில் கட்டிடம் இல்லை.

BOUNDARIES

East	-	Pathway
South	-	Property of Jeya Samuvel
West	-	Property of Paulraj
North	-	Property of Defendants

B- SCHEDULE OF PROPERTY

District		Kanyakumari
Taluk	-	Kalkulam
Village	-	Chadayamangalam
Resurvey	-	564/11
Area	-	Approximately 3.250 cents

..4..

DESCRIPTION OF PROPERTY

மேக்கணையா 9 1/2 சென்டீக்கும், 6 சென்டீக்கும் கிழக்காக போடப்பட்டிருக்கும் 15 அடி அகலம் 28.70 அடி நீளம் கொண்டதும், மேற்படி கிரய ஆவண எண் 647/2017 -ன் படி இணைத்திருக்கும் பிளான் படி உள்ள சுமார் 3.250 சென்ட் கொண்ட வழிபாதையுமாகும்.

BOUNDARIES

East - Property of Defendants
South - Remaining pathway
West - property of plaintiff & defendant
South - pathway

D.C.

H.C.

P.D.M

P.D.M.C.
O.S.No.145/2023

DECREE

DATE: 10.03.2025

P.D.M.C.

O.S.No.69/2018

DECREE

DATE: 25.02.2025

In the Court of the Principal District Munsif, Padmanabhapuram.

Present: **Thiru. R.Karthikeyan, B.A.,B.L., (Hons)**

Principal District Munsif.

Thursday day, the 7th day of November 2024.

Original Suit No. O.S.77/2021

M.R.Kabiriyal

.. Plaintiff

Vs

1. Aboobacker

2. John Rose

..Defendants

This suit is coming before me for final hearing in the presence of Mr. A.Levis Senthil Kumar, learned counsel for the Plaintiff, and of Mr. A.B. V.V. Maharaja learned counsel for the D1 and D2 called absent set exparte. Upon perusal of records this court delivered the following.

JUDGMENT

Suit for Permanent Injunction and Declaration.

Plaintiff called absent. No representation sufficient time granted to conduct the Trial. But Inspite of granting sufficient time to the plainitff failed to conduct the Trial. Hence In the Interest of justice this suit is dismissed for default.

Pronounced by me in open court, this the 7th day of November 2024.

Principal District Munsif,
Padmanabhapuram.

P.D.M.C.

OS.NO. 77/2021

DRAFT/FAIR/JUDGMENT

DATE: 07.11.2024