

In the Court of the Principal District Munsif, Padmanabhapuram.

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

Principal District Munsif.

Monday ,the 10<sup>th</sup> 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.

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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 10<sup>th</sup>  
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

றீசர்வே 564/11-ல் 0.09.5 ஏர் பரப்பில் வடக்கு மேக்கு மூலையில் கிடப்பு 9 1/2 சென்று மனையை தொட்டு தெக்கணையா கிடப்பதும் கீழ்குறிப்பிடும் எல்கைக்குள் 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 மனையாகும். ஷை மனையில் 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