

IN THE COURT OF SUBORDINATE JUDGE, ERANIEL.

**Present : Tmt. D. Asha Kousalya Shanthini, B.Sc., B.L.,
Subordinate Judge, Eraniel.**

Wednesday the 6th day of November, 2024

O.S.No.58/2024

CNR.No.TNKK15-000542-2024

1. M. Thomas Mathiyas, son of Maria Gnanaprakasam Nadar, aged 47 years, Christian, Nadar, Lecturer, residing at Ambalathadivilagathu Puthenhouse, Alanvilai, Karankadu post, Kurunthencode village, Kalkulam Taluk, Kanyakumari District.

2. A. Vincent, son of Abraham, aged 67, Christian, Nadar, Retired Government Employee, residing at south Alanvilai, Karankadu post, Kurunthencode village, Kalkulam Taluk, Kanyakumari District.

... Plaintiffs

.Vs.

1. A. Pushparaj, S/o. Anthonymuthu, aged 60 years, Christian, Nadar, residing at South Alanvilai, Karankadu post, Kurunthencode village, Kalkulam Taluk, Kanyakumari District.

2. S. Vijayakumari, wife of A.Pushparaj, aged 55 years, Christian, Nadar, Homemaker, residing at South Alanvilai, Karankadu post, Kurunthencode village, Kalkulam Taluk, Kanyakumari District.

3. The President, Kurunthencode Panchayat, Kurunthencode & post, Kurunthencode village, Kalkulam Taluk, Kanyakumari District.

... Defendants

Suit for declaration the 'C' schedul property is the integral part of the plaint 'A' and 'B' schedule property and permanent injunction and mandatory injunction restraining the defendants 1 & 2 and their men, agents, servants or

power holders from annexing any portion of the plaint 'C' schedule property along with their properties and 3rd defendant and his successor to maintain the plaint 'C' schedule property properly without any obstruction as it continuous on its eastern and western side for the cost of the suit from the defendant.

The suit 'A' relief is valued for Rs.1,000/- and a court fee of Rs.75.50/- is paid U/S 25 (A) of the Tamil Nadu Court fee Act and 'B' relief is valued at Rs.1,000/- and a Court fee of Rs.75.50/- is paid u/s.27(c) of the Tamil Nadu Court fee and suits valuation Act, 1955, and 'C' relief is valued at Rs.1,000/- and a Court fee of Rs.75.50/- is paid u/s.27(c) of the Tamil Nadu Court fee and suits valuation Act 1955 as amended Act 2003. Thus the total valuation of Rs.3,000/- and the total court fee of Rs.226.50 is paid.

Cause of action arose on 08.03.2003, 06.11.2010, 05.02.2011, 26.04.2012, 05.08.2013, 13.08.2014, and on 18.03.2015 those arose at Kurunthencode village in Kalkulam Taluk which is within the jurisdiction of this court.

Plaint presented on	:	23.03.2015 (EDMC)
Plaint filed on	:	23.03.2015 (EDMC)
Plaint renumbered on	:	23.08.2024 (ESC)

This suit coming up for final hearing on this day in the presence of Thiru. P. John Xavier, Advocate for plaintiff and Thiru. A. Kanagasapapathi, Advocate for 1st and 2nd defendants and Thiru.R. Augustin, Government Pleader for 3rd defendant, this court doth order an decree

1. that the suit be and the same is hereby dismissed for default.
2. that there be no costs.

Particulars of Cost

- Nil-

THE PLAINT SCHEDULE PROPERTIES

	A	B	C
District	Kanyakumari	Kanyakumari	Kanyakumari
Re. District	Kanyakumari	Kanyakumari	Kanyakumari
Sub District	Eraniel	Eraniel	Eraniel
Taluk	Kalkulam	Kalkulam	Kalkulam
Village	Kurunthencode	Kurunthencode	Kurunthencode
Re survey No.	139/1	138/8	138/8, 139/1
Extent	6.250 cent	4.500 cent	1.750 cent

DESCRIPTION OF THE PROPERTY:

The 6.250 cents land excluding the 1.250 cents are given to public out of the original 7.500 cents and the trees standing therein	The 4.500 cents land excluding the 0.500 cents are given to public out of the original 5.000 cents and the house bearing Door No: 7 <u>18/4</u> of 24/4 Kurunthencode Panchayat.	The pathway of 1.750 cents land consists of 1.250 cents land in Resurvey No: 139/1 and 0.500 cents in Resurvey No:138/8.
---	--	--

BOUNDARIES:

North	Road	Road	Properties of 1 st defendant and Pankiraj
East	Property of the 1 st plaintiff	Property of Gobalan	Pathway
South	House of Sasikumar	House of Albert Amal Raj	Plaintiff's properties
West	House of Thomas Mathias	House of the 2 nd plaintiff	Pathway.

Given under my hand and seal of this court this the 6th day of November, 2024.

Sd/-
D.C.

Sd/-
Shr.

Sd/-
Subordinate Judge,
Eraniel.

