

TNKK150008252023



IN THE COURT OF THE SUBORDINATE JUDGE, ERANIEL
Present : Thiru. R. Karl Marx, B. L.,
Subordinate Judge, Eraniel

Monday, the 13th day of July 2026

Original Suit No.56/2023
(CNR No.TNKK15-000-825-2023)

Heema Rosy, W/o. Arulselvan, Christian, aged 37 years and residing at Door No.11/25A, Manthivilai, Pallapallam Post, Reethapuram Village, Kalkulam Taluk, Kanyakumari District. .. Plaintiff

-Vs-

1. Philominal, W/o. Chinnathurai (Late) Christian, aged 55 years and residing at Door No.10/41B, KKM Vilai, Palapallam Post, Reethapuram Village, Kalkulam Taluk, Kanyakumari District.

2. Mary, W/o. Gabariel (Late) C/o. Cesily, Christian, aged 63 years and residing at Manthivilai, Palapallam Post, Reethapuram Village, Kalkulam Taluk, Kanyakumari District.

3. Ayyappan, S/o. Velayuthanpillai, Hindu, residing at Door No.5-81, West Street, Colachel Post, Kalkulam Taluk, Kanyakumari District.

4. Wilson, S/o. Barnabas, Christian and residing at Colachel, Colachel Post, Kalkulam Taluk, Kanyakumari District.

Plaint presented on : 01.06.2023

Plaint filed on : 01.06.2023

The suit has been filed for under section 26, Order VII Rule 1 of CPC. for,

A. Decree for cancellation of impugned sale deed made by the 2nd defendant in favour of the 1st defendant through registered sale deed No.1058/2023 dated 23.04.2023.

B. Decree for permanent injunction, against the defendants, from in anyway interfering with peaceful possession enjoyment of the suit property in any manner whatsoever, except due to process of law.

C) Decree the defendants to pay the costs of this suit.

The purpose of valuation of court fee, the suit 'A' relief is for cancellation of impugned registered sale deed No.1058/2023 dated 23.04.2023 which deed is valued at Rs.5,08,291/- and court fee of Rs. 15,249/- is paid under section 40 (1) of TNCF Act and suit 'B' relief is permanent injunction valued at Rs.1,000/- and court fee is paid at Rs. 30/-, under section 27 (c) of TNCF Act and thereby the total court fee is paid Rs.15,548.75.

Cause of action arose on : 1998, April 2022 and 2nd week of May 2023, arose at Manthivilai village, which rightly falls within the jurisdiction of this court.

This suit came up on 06.07.2026, for final hearing before me in the presence of Mr. S. Suresh Kumar Counsel for the Plaintiff and Mr. A. Jegan Lall Counsel for the 1st Defendant and Mr. V. Purushothaman Counsel for 2nd defendant, and defendants 3 and 4 were called absent and set exparte and written arguments notes filed by the plaintiff's counsel and upon hearing the argument of plaintiff and 1st and 2nd defendants and after perusing all the available records and having stood over for consideration till this day, this court doth order and decree.

Decree

1. that the suit be and the same is hereby dismissed.
2. that the parties shall bear their own costs.

(Certified cost of 1st defendant is Rs.8,010/-)

PARTICULARS OF COST

	Plaintiff side Rs.	1 st Defendant side Rs.
Court fees	15,249.00	-
Vakalath	10.00	10.00
Advocate's Fee (Senior)	Cost list not filed	6,000.00 (Cost memo amount)
Advocate's Fee (Junior)		2,000.00 (Cost memo amount)
Total	15,259.00	8,010.00

Schedule of Property

District	-	Kanyakumari
Registration District	-	Kanyakumari
Sub Registry	-	Colachel
Taluk	-	Kalkulam
Village	-	Reethapuram Village
Town Panchayat	-	Reethapuram
Re.Sy.No.	-	331/11 and 331/12
Extent	-	4.183 CENTS (169.27 Sqmts)
Door No.	-	11-25A
Patta Nos.	-	3652 and 3651

Boundaries :

North -	Pathway and Thresam's property
South -	Pathway and Rajendran's property

East - Ramesh Babu and Sornam's properties
West - Pathway, Paul raj and
Shobanakumar's properties

Given under my hand and seal of the court this the 13th day of July, 2026.

D.C.

Shr.

Sd/-R. Karl Marx
Sub Judge,
Eraniel.

Sub court, Eraniel.
Decree
O.S. No.56/2023
Date: 13.07.2026