

**IN THE ADDITIONAL DISTRICT AND SESSIONS JUDGE
(FAST TRACK COURT) AT KANCHEEPURAM**

**PRESENT:TMT.S.MOHANAKUMARI, M.A., B.L.,
Additional District & Sessions Judge,
Additional District and Sessions Court, (FTC)
Kancheepuram.**

Monday, the 8th day of June 2026

O.S NO.95 OF 2019

(CNR.No. TNKPO6 – 01513 – 2019)

D.Raghavan.

..... Plaintiff

/Vs/

1. P.Sivagami.
2. Fathima Parveen.
3. Kalaivani.
4. S.Shanmugam.
5. V.Udayakumar.
6. V.Abirami.
7. D.Rukmani.
8. K.Aruna.
9. D.Vigneshkumar.
10. R.Ganesan.
11. R.Subramani.
12. V.M.Ramadoss.
13. Baggiyalakshmi.
14. V.M.Munusamy.
15. Dhanalakshmi.

..... Defendants

This suit came up on 24.04.2026 for final hearing before me in the presence of M/s.L.Sowmiya Narayanan and M.Priya, learned counsels appearing for the Plaintiff, Defendants 1 to 10, 12, 14 and 15 were called absent

set exparte on 28.06.2019, 11th defendant called absent set exparte on 21.10.2019 and 13th defendant called absent set exparte on 26.08.2025, upon perusing the entire case records, upon hearing the argument of plaintiff and having stood over for consideration till this day, this court delivers the following:

EXPARTE JUDGMENT

The suit is filed for a declaration that the plaintiff is the absolute owner of the plaint schedule mentioned property; for recovery of the possession of the suit property by directing the defendants to vacate and hand over vacant possession of the suit property; failing which the same may be done through the process of this court; for a declaration that the registered sale deed dated 26.10.2015 executed by the defendants 10 and 11 in favour of 1st defendant in Doc.No.10272/2015 as null and void; for a declaration that the registered sale deed dated 26.10.2015 executed by the defendants 10 and 11 in favour of 2nd defendant in Doc.No.10266/2015 as null and void; for a declaration that the registered sale deed dated 26.10.2015 executed by the defendants 10 and 11 in favour of 3rd defendant in Doc.No.10267/2015 as null and void; for a declaration that the registered sale deed dated 15.10.2015 executed by the defendants 10 and 11 in favour of 4th defendant in Doc.No.9984/2015 as null and void; for a declaration that the registered sale deed dated 26.10.2015

executed by the defendants 10 and 11 in favour of 5th defendant in Doc.No.10271/2015 as null and void; for a declaration that the registered sale deed dated 23.06.2016 executed by the defendants 10 and 11 in favour of 6th defendant in Doc.No.4182/2016 as null and void; for a declaration that the registered sale deed dated 04.07.2016 executed by the defendants 10 and 11 in favour of 7th defendant in Doc.No.4416/2016 as null and void; for a declaration that the registered sale deed dated 02.11.2015 executed by the defendants 10 and 11 in favour of 8th defendant in Doc.No.10548/2015 as null and void; for a declaration that the registered sale deed dated 26.10.2015 executed by the defendants 10 and 11 in favour of 9th defendant in Doc.No.10273/2015 as null and void; for a declaration that the registered sale deed dated 02.11.2015 executed by the defendants 10 and 11 in favour of 13 defendant in Doc.No.10523/2015 as null and void; for a declaration that the registered sale deed dated 22.02.2015 executed by 12th defendant in favour of 10 and 11 defendants in Doc.No.940/2015 as null and void and cost of the suit.

2. CASE OF THE PLAINTIFF RUNS AS FOLLOWS:

The plaintiff submits that the plaint schedule mentioned property the land in S.No.413/10 – 0.17 cents in Kolathur Village, Sriperumbudur Taluk, Kanchipuram District, and other lands originally belonged to D.Raghavachari.

The said D.Raghavachari died leaving behind his sons T.R.Desikan, T.R.Devanathan and daughter Ambujammal as his only legal heirs. All are class I legal heirs under Section 8 of the Hindu Succession Act and equally entitled to the property. The said Ambujammal had executed a registered release deed dated 12.10.1959 releasing and relinquishing her undivided share and interest in favour of her 2 brothers T.R.Desikan, T.R.Devanathan. The suit property and other properties were bequeathed by D.Raghavachari through a registered will dated 22.01.1958 and the said will was duly probated. There is a oral partition between T.R.Desikan and T.R.Devanathan, and in which the above property and other properties were fallen to the share of T.R.Desikan. The plaintiff is the adopted son of T.R.Desikan. Earlier patta no.120 was given in the name of D.Raghavachariar. The 12th defendant and E.Mani have created a collusive sale deed in favour of the 10 & 11 defendants who plotted the properties and sole it to the defendants 1 to 9 and 13. The alleged sale deeds are not valid and binding on the plaintiff, because the 12th defendant has no title over the property. In fact it is a classic example of land grabbing and attracted the provisions of Indian Penal Code. The power agent E.Mani died and pre suit notice returned with an endorsement died and the said E.Mani was only a power agent and no heritable interest for him in the suit property. Hence the question of impleading the legal

heirs of Mani does not arise. One Muthusamy was the cultivating tenant for the plaintiff's family in Kolathur, Sriperumbudur Taluk. Till his life time he was loyal and after his death, his wife and family members cultivated the properties. But unlike their ancestors, they betrayed the plaintiff and claimed ownership. The possession of the tenant never become adverse to the landlord and the possession of the 14 and 15 defendants is on behalf of the landlord viz., the plaintiff. Further till 2015, the revenue records are in the name of the plaintiff. Hence at any stretch of imagination, the suit is well within time. The plaintiff has issued a legal notice dated 24.11.2018 to the defendants that the sale deeds executed by the defendants 10 & 11 in favour of the 1 to 11 & 13 defendants are null and void and called upon the defendants 10 & 11 to come for a bilateral cancellation of sale deeds executed by the defendants 11 & 12 in favour of the defendants 1 to 9 & 13. Some of the defendants received the legal notice and some of the defendants returned the notice. Hence the plaintiff is obliged to file this suit for a declaration that the plaintiff is the absolute owner of the plaint schedule mentioned property and for recovery of the possession of the suit property by directing the defendants to vacate and hand over possession of the suit property failing which the same may be done through the process of this court.

3. WRITTEN STATEMENT FILED BY THE 13TH DEFENDANT

AS FOLLOWS: This defendant denies all the allegations made in the plaint except those that are admitted herein specifically. The suit property and other properties were purchased by Munusamy represented by her mother Dhanalakshmiammal under a sale deed dated 20.08.1979 under a registered document bearing document number 2202/1979 from Selvaraj. The said Dhanalakshmiammal the mother of Munusamy during the court of his possession and enjoyment on 19.03.1983 had sold and delivered the suit property and other properties to one E.Mani on 19.03.1983 under a registered sale deed bearing document number 2216/1983. The said E.Mani during the course of his possession and enjoyment had appointed Ramadoss as his power of attorney agent under a power of attorney deed dated 29.10.1998 bearing document number 653/1998. The said agent on 22.02.2005 had sold and delivered the suit property to Mr.Ganesan and Subramani under a registered sale deed dated 22.02.2005 bearing document no.940/2005. The said Ganesan and Subramani during the course of their possession and enjoyment had developed the suit property and other properties into a layout known as RPG Global city. The defendant purchased four plots in the said layout bearing Plot numbers 89, 90, 99 and 100 on 02.11.2015 bearing document number 10523/2015. This

defendant from the date of her purchase she is in possession and enjoyment of the suit property. This defendant is a bonafide purchaser for valuable consideration. The plaintiff is not entitled to the relief of declaration that the sale deed dated 02.11.2015 bearing document No.10523/2015 in favour 13th defendant is null and void. The suit is false, frivolous and vexations one. The suit is not maintainable on facts and in law. There are no merits in the suit. Hence the suit is liable to be dismissed with cost.

4. **ISSUES:** On perusal of Plaint, Written statements and other materials placed before the court the following issues were framed:

- 1 Whether the plaint schedule property is absolute belonged to the plaintiff?
- 2 Whether the plaintiff is entitled to get the relief of declaration and recovery of possession?
- 3 Whether the registered sale deed dated 26.10.2015 executed by 10 and 11th defendant in favour of 1st defendant in doc.no.10272/2015 is to declared as null and void?
- 4 Whether the registered sale deed dated 26.10.2015 executed by 10 and 11th defendant in favour of 2nd defendant in doc.no.10266/2015 is to declared as null and void?
- 5 Whether the registered sale deed dated 26.10.2015 executed by 10 and 11th defendant in favour of 3rd defendant in doc.no.10267/2015 is to declared as null and void?
- 6 Whether the registered sale deed dated 26.10.2015 executed by 10 and 11th defendant in favour of 4th defendant in doc.no.10267/2015 is to declared as null and void?

- 7 Whether the registered sale deed dated 15.10.2015 executed by 10 and 11th defendant in favour of 4th defendant in doc.no.9984/2015 is to declared as null and void?
- 8 Whether the registered sale deed dated 26.10.2015 executed by 10 and 11th defendant in favour of 5th defendant in doc.no.10271/2015 is to declared as null and void?
- 9 Whether the registered sale deed dated 23.06.2016 executed by 10 and 11th defendant in favour of 6th defendant in doc.no.4182/2016 is to declared as null and void?
- 10 Whether the registered sale deed dated 04.07.2016 executed by 10 and 11th defendant in favour of 7th defendant in doc.no.4416/2015 is to declared as null and void?
- 11 Whether the registered sale deed dated 02.11.2015 executed by 10 and 11th defendant in favour of 8th defendant in doc.no.10273/2015 is to declared as null and void?
- 12 Whether the registered sale deed dated 26.10.2015 executed by 10 and 11th defendant in favour of 9th defendant in doc.no.10273/2015 is to declared as null and void?
- 13 Whether the registered sale deed dated 02.11.2015 executed by 10 and 11th defendant in favour of 14th defendant in doc.no.10523/2015 is to declared as null and void?
- 14 Whether the registered sale deed dated 22.02.2015 executed by 10 and 11th defendant in favour of 12th defendant in doc.no.940/2015 is to declared as null and void?
- 15 To what other relief?

5. EVIDENCE LET IN:

Plaintiff examined himself as PW1 and Ex.A1 to Ex.A24 are marked. Despite affording sufficient opportunity to the defendants, they were called absent and set exparte on 28.06.2019, 21.10.2019 and 26.08.2025 respectively. Heard the submissions made by the learned counsel for the plaintiff. Also, perused the records.

6. ISSUE NO 1 & 2:

- 1 Whether the plaint schedule property is absolutly belonged to the plaintiff?**
- 2 Whether the plaintiff is entitled to get the relief of declaration and recovery of possession?**

This court perused entire case records thoroughly. The case of the Plaintiff had been elaborately narrated in the Para No.2 and para no.3 herein. Hence need not be reproduced herein once again. Let us switch over in to discussion portion directly. In order to prove, plaintiff's case plaintiff examined himself as PW1 by marking Ex.A1 to Ex.A24. Ex.A1 is the registered release deed executed by Ambujammal in favour of her two brothers namely T.R.Desikan and T.R.Devanathan. Ex.A2 is the registered sale deed executed by 10 and 11 defendants in favour of 1st defendant. Ex.A3 is the registered sale deed executed by 10 and 11 defendants in favour of 2nd defendant. Ex.A4 is the

registered sale deed executed by 10 and 11 defendants in favour of 3rd defendant. Ex.A5 is the registered sale deed executed by 10 and 11 defendants in favour of 4th defendant. Ex.A6 is the registered sale deed executed by 10 and 11 defendants in favour of 5th defendant. Ex.A7 is the registered sale deed executed by 10 and 11 defendants in favour of 6th defendant. Ex.A8 is the registered sale deed executed by 10 and 11 defendants in favour of 7th defendant. Ex.A9 is the registered sale deed executed by 10 and 11 defendants in favour of 8th defendant. Ex.A10 is the registered sale deed executed by 10 and 11 defendants in favour of 9th defendant. Ex.A11 is the registered sale deed executed by 10 and 11 defendants in favour of 14th defendant. Ex.A12 is the legal notice issued by plaintiff to the defendants and the postal acknowledgment cards by the defendants are marked as Ex.A13 to 16 and Ex.A18 to Ex.A23 respectively. Ex.A24 is the sale deed in favour of 10 and 11 defendants.

6.1 The plaintiff filed the present suit seeking declaration of ownership, recovery of possession, and nullification of multiple sale deeds executed by defendants 10 and 11 in favor of defendants 1 to 9 and 13. The plaintiff claimed that the property originally belonged to D. Raghavachari and, as the adopted son of T.R. Desikan, he is the rightful owner. The plaintiff relied upon a registered

release deed executed by Ambujammal in favor of her brothers, a probated will of D. Raghavachari, and various legal notices issued to the defendants.

6.2 Despite being duly summoned, defendants 1 to 10, 11, 12, 14, and 15 did not appear, and the suit proceeded ex parte against them. The plaintiff examined himself as PW1 and marked documents Ex.A1 to Ex.A24 in support of his claim. On perusal of the records and documents, it is observed that the plaintiff has failed to prove that he had absolute ownership over the suit property or that the defendants 10 and 11 had no title to execute the impugned sale deeds. The evidence tendered by the plaintiff, including the release deed, sale deeds, and legal notices, is insufficient to establish the alleged collusion or invalidity of the defendants' transactions. Further, the suit involves transactions dating back to 2015–2016, and the plaintiff's notice and action initiated in 2018 indicate a delay which renders the suit barred under limitation. The plaintiff has not produced and marked the alleged Will dated 22.01.1958, which forms the foundation of his claim. The Will has also not been proved in the manner known to law. In the absence of proof of the Will and the alleged oral partition, the plaintiff has failed to establish his title to the suit property. Therefore, Issue Nos. 1 and 2 are answered against the plaintiff. In view of the above said reasons, the plaintiff had failed to make out a prima facie case for the reliefs

sought this Court is of the considered view that the plaintiff is not entitled for the relief as prayed for. Accordingly, issue nos.1 and 2 are answered against the plaintiff.

7. **ISSUE NOS.3 TO 14:** Upon perusal of the pleadings, evidence, and documents, the Court finds that the plaintiff has failed to establish his ownership and title over the plaint schedule property. Further, the reliefs sought in Issues Nos. 3 to 14, which pertain to the declaration of nullity of various sale deeds executed by defendants 10 and 11 in favor of defendants 1 to 9, 12 and 13, necessarily depend upon the plaintiff establishing valid title over the property. Since the plaintiff has failed to prove his ownership, he cannot challenge the sale deeds executed in favor of the other defendants. Accordingly issue nos.3 to 13 are answered against the plaintiff.

8.ISSUE NO.14: 5

To What other relief?

In view of the findings on Issues 1 to 14, the plaintiff is not entitled to any relief sought in the suit.

9.RESULT: In the result, this suit is dismissed. No cost.

Dictated to the stenographer directly in the computer, corrected and pronounced by me in open court this the 8th day of June 2026.

Additional District & Sessions Judge,
Additional District & Sessions Court (FTC)
Kancheepuram

LIST OF WITNESS ON PLAINTIFF'S SIDE:

PW1 - T.D.Raghavan.

LIST OF EXHIBITS ON PLAINTIFF'S SIDE:

- Ex.A1 12.10.1959 Release deed executed by Ambujammal in favour of T.R.Desikan, and T.R. Devanathan – Certified copy.
- Ex.A2 26.10.2015 Sale deed executed by 10 and 11 defendants in favour of 1st defendant – Certified copy.
- Ex.A3 26.10.2015 Sale deed executed by 10 and 11 defendants in favour of 2nd defendant – Certified copy.
- Ex.A4 26.10.2015 Sale deed executed by 10 and 11 defendants in favour of 3rd defendant – Certified copy.
- Ex.A5 15.10.2015 Sale deed executed by 10 and 11 defendants in favour of 4th defendant – Certified copy.
- Ex.A6 26.10.2015 Sale deed executed by 10 and 11 defendants in favour of 5th defendant – Certified copy.
- Ex.A7 23.06.2016 Sale deed executed by 10 and 11 defendants in favour of 6th

defendant – Certified copy.

Ex.A8 04.07.2016 Sale deed executed by 10 and 11 defendants in favour of 7th defendant – Certified copy.

Ex.A9 02.11.2015 Sale deed executed by 10 and 11 defendants in favour of 8th defendant – Certified copy.

Ex.A10 26.10.2015 Sale deed executed by 10 and 11 defendants in favour of 9th defendant – Certified copy.

Ex.A12 - Postal acknowledgment card by the 1st defendant – Original.

Ex.A13 - Postal acknowledgment card by the 2nd defendant – Original.

Ex.A14 - Postal acknowledgment card by the 3rd defendant – Original.

Ex.A15 - Postal acknowledgment card by the 4th defendant – Original.

Ex.A16 - Postal acknowledgment card by the 5th defendant – Original.

Ex.A17 - Returned postal cover by the 6th defendant – Original.

Ex.A18 - Postal acknowledgment card by the 7th defendant – Original.

Ex.A19 - Postal acknowledgment card by the 8th defendant – Original.

Ex.A20 - Postal acknowledgment card by the 9th defendant – Original.

Ex.A21 - Postal acknowledgment card by the 10th defendant – Original.

- Ex.A22 - Postal acknowledgment card by the 11th defendant – Original.
- Ex.A23 - Postal acknowledgment card by the 12th defendant – Original.
- Ex.A24 22.02.2005 Sale deed in favour of 10 and 11 defendants – Certified copy.

LIST OF WITNESSES EXAMINED AND DOCUMENTS EXHIBITED ON THE SIDE OF THE DEFENDANTS: Nil.

Additional District & Sessions Judge,
Additional District & Sessions Court (FTC)
Kancheepuram.

O.S.No.95 of 2019

Draft/Fair Judgment

O.S.No.95/2019

D.D.08.06.2026

ADJ,(FTC) KPM