

In the Court of the Principal District Judge,

Principal District Court, Kancheepuram.

PRESENT: **Tmt. Deepthi Arivunithi, M.L.,**
Principal District Judge,
Principal District Court ,
Kancheepuram.

Thursday the 26th day of March 2026

IA.No.2/2024 and IA.No. 3/2024 in O.S.No.237/2024

Gnanasekaran

...Petitioner/Plaintiff in both I.A.s

Vs

1. L. Sekar

2. S.Sridevi

3. R. Vamsivardhan Reddi

4. R. Parijadha Ragurama Reddi

..Respondents/ Defendants in both I.A.s.

These petition are coming on 19.02.2026 for final hearing before me in the presence of M/s. L. Sowmiya Narayanan, M. Priya, Counsels appearing for the Petitioner/Plaintiff in both petitions and M/s. G.Manimaran, M.Sankaran, Counsels for the respondents/defendants in both petitions and upon hearing the arguments on both sides and upon perusal of records and having stood over the matter for consideration till this day, this court delivered the following

COMMON ORDER

I.A. No. 3 of 2024 is a petition filed under Order XXXIX Rule 1 C.P.C. to pass an order of interim injunction against the respondents/defendants restraining them, their men or agents from in any way interfering with the petitioner's peaceful

possession and enjoyment of the plaint A and B Schedule Property morefully described in the schedule till the disposal of the suit.

2. I.A. No. 2 of 2024 is a petition filed under Order XXXIX Rule 1 C.P.C. to pass an order of interim injunction against the respondents/defendants restraining them, their men or agents from in any way alienating or encumbering the suit properties morefully described in the schedule till the disposal of the suit.

3. Since both the applications arise out of common facts and circumstances, they are taken up together for passing a common order.

4. The learned counsel for the petitioner would contend as follows. The main suit is filed by the petitioner/plaintiff for a declaration that he is absolute owner of the A schedule property and for a consequent permanent injunction restraining the respondents/defendants from in any way alienating the property. The suit is also filed to declare the settlement deed in document No. 2870/2009 and the subesequent settlment deeds executed in the year 2024 as null and void. The A and B Schedule property belonged to the family of Narayanaswamy Reddiyar. The said person had sons named Kuppusami Reddiyar, Thambaireddi @ Vedanarayana Reddiyar and Gopal Reddiyar. The koor chit has little significance as the agnates sold the properties to Andal Ammal by sale deed dated 25.10.1950 along with A and B Schedule properties. The said Andal Ammal was in possession and enjoyment of the properties till her death on 24.01.1987. She left behind her grandson as her sole legal heir to

succeed as per s.15 of the Hindu Succession Act, 1956. In 1983, the said Andal Ammal divided the lands into plots after obtaining approval and sold many plots. The purchasers also dealt with the properties by mortgaging it with the banks and financial institutions.

5. Upon the annual verification of the encumbrance certificate, it was found that there is a settlement deed executed by V. Lakshmipathy Reddi in favour of Raguram Reddi, the father of the 3rd defendant and the husband of 4th defendant in favour of the 1st defendant. Another release deed was executed by 4th defendant in favour of the 3rd defendant as if they had rights in the property. The said documents are only self serving documents. In 2024, the 1st defendant executed a settlement deed in favour of the 2nd defendant. Since the said documents are executed without any valid title over the suit schedule properties, they are questioned under the present suit. As per the recitals in the sale deed dated 25.10.1950, the sale deed was executed by Lakshmipathy Reddy then a minor represented by his father Vedanarayana Reddi. Thus, it is apparent that Lakshmipathy reddy did not have any right over the suit properties. Nearly 90,000 sq.ft., was sold by Andal Ammal to various persons. There is discrepancy in the revenue records of Lakshmipathy Reddi which would show his invalid title deeds and falsity of the claim of the defendant. Thus, the petitioner/plaintiff has shown a prima facie case, the balance of convenience and irreparable loss also lies in favour of the petitioner/plaintiff. Hence, that the petitions have to be allowed.

6. The learned counsel for the respondents/defendants would contend as follows. The fact that the suit properties originally belonged to the family of Narayanaswamy Reddiyar and that the said person had sons named Kuppusami Reddiyar, Thambaireddi @ Vedanarayana Reddiyar and Gopal Reddiyar is admitted. The koor chit was validly executed among the family members. The sale deed in favour of Andal Ammal is denied. The defendants validly executed the settlement deeds. The sale deed in favour of Andal Ammal is void ab initio. The property was enjoyed by Vedanarayana Reddi and after his death, V. Lakshmipathy Reddy is in possession and enjoyment of the suit schedule properties. Though there is a sale deed in favour of Andal Ammal, she has not claimed any right over the property based on the said deed till her life time. Hence, the said document cannot be considered. Though the patta stands in the name of Lakshmipathi and Andal Ammal, the said Andal Ammal gave up her rights over the A schedule property which is well known to the petitioner. Hence, the petitioner has no right to claim the reliefs as against the respondents/defendants. Hence, that the petitions have to be dismissed.

7. Upon hearing both sides and having perused the materials on record, the following points are framed for consideration.

1. Whether the plaintiff has shown a prima facie case, balance of convenience and irreparable loss?
2. Whether the petitions have to be allowed?

Points No. 1 and 2:

8. Since both the points are interrelated, they are taken up together for consideration. The brief set of facts necessary for the purpose of these petitions are as follows. The petitioner/plaintiff has filed the main suit seeking declaration of title over the A schedule property and has claimed other reliefs in respect of the suit schedule A and B properties. It is the case of the petitioner/plaintiff that the suit properties were the absolute properties of one Andal Ammal who purchased the suit properties vide sale deed registered on 25.10.1950. She is said to have divided the land into plots in the year 1983 and sold the plots to third parties. While so, after her death in 1984, she was succeeded by her grandson who was the only legal heir under s.15 of the Hindu Succession Act, 1956. The petitioner/plaintiff is now retaining the remaining properties apart from the plots already sold by Andal Ammal herself. While so, the defendants without any right or title in the properties have executed settlement deeds among themselves and therefore, the said deeds have to be declared as null and void.

9. The respondents/defendants have denied the claim of the petitioner/plaintiff on the ground that there was no valid sale in favour of Andal Ammal. It is stated that though a sale deed was executed in her favour, she did not claim any rights over the property till her demise. It is stated that the properties were divided as per the Koor Chit. The property was in continuous possession and enjoyment of Lakshmipathi Reddi and the defendants.

10. The plaint documents are marked as Ex. P1 to P9 for reference. It is to be noted that the sale deed in favour of Andal Ammal is produced as Ex. P1. The learned counsel for the petitioner has drawn the attention of this court to the recitals found in the sale deed to show that the said Lakshmipathi Reddi was a party to the said deed, albeit as a minor. It is pointed out that the said sale was never challenged by him after he attained majority and therefore, the validity of the said sale cannot be questioned now. The documents relating to the steps taken by Andal Ammal for division of the land into plots is also filed. The legal heir certificate of the father of the plaintiff is filed to show that he is the grandson and the only surviving legal heir of the said Andal Ammal. The settlement deeds executed by the respondents/defendants is also produced.

11. On perusal of the documents on record, it is seen that the petitioner/plaintiff has shown a prima facie case. There is no averment in the petition to show that the lands contain any constructed building or super structure. It is seen that the suit properties are barren lands. Hence, at this juncture, this court finds that the contention of the petitioner/plaintiff that any further alienation would lead to multiplicity of the proceedings has to be considered. It is seen that the respondents/defendants have executed settlement deed/release deed amongst themselves. Hence, it is seen that the irreparable loss has also been shown. Since the petitioner/plaintiff seeks a relief of declaration balance of convenience is also in his favour.

12. For the foregoing reasons, this court finds that the relief as sought for in I.A. No.2 of 2024 to prevent the respondents/defendants from alienating or encumbering the suit schedule property in any manner can be granted. As already noted, since the lands are vacant lands, the possession will follow the title. In the present case, since the main suit itself is one for declaration of title, granting interim injunction to against the respondents/defendants from in any way interfering with the petitioner's peaceful possession and enjoyment cannot arise. Therefore, the petition in I.A. No. 3 of 2024 is to be dismissed. Accordingly, the points are answered.

13. In result, I.A. No. 3 of 2024 is dismissed without costs. I.A. No. 2 of 2024 is allowed without costs and an order of interim injunction is granted against the respondents/defendants restraining them, their men or agents from in any way alienating or encumbering the suit properties morefully described in the schedule till the disposal of the suit.

//This order has been dictated by me to the Stenographer, transcribed and typed by her in the computer and partly typed by me in laptop, corrected and pronounced by me in the open Court on this the Thursday the 26th day of March 2026//

Principal District Judge,
Principal District Court,
Kancheepuram.

Exhibits on Petitioner side:

Ex.P.1	25.10.1950	Certified copy of Sale deed in favour of Andalammal
Ex.P.2	30.01.1984	Xerox copy of application and orders of Town Planning Authority.
Ex.P.3	18.08.2022	Online downloaded copy of legal heir certificate of Andalammal.
Ex.P.4	24.08.2022	Online downloaded copy of legal heir certificate of Balarama Reddiar
Ex.P.5	17.06.2009	Certified copy of Gift deed in favour of Raguram Reddi and Sekar
Ex.P.6	03.04.2024	Certified copy of Release Deed in favour of 2nd defendant by 3 rd defendant.
Ex.P.7	16.04.2024	Xerox copy of Representation to Tahsildar, Kundrathur.
Ex.P.8	03.04.2024	Certified copy of Gift deed in favour of 2 nd defendant by the 1 st defendant.
Ex.P.9	--	Encumbrance certificate from 11.08.1986 to 19.04.2024

Witnesses on Petitioner side: NILExhibits and Witnesses on Respondent side: NIL.

Principal District Judge,
Principal District Court,
Kancheepuram.

Draft/Fair Order
I.A.No.2/2024 and
I.A.No. 3/2024 in
O.S.No. 237/2024
D.D. 26.03.2026
Principal District Court ,
Kancheepuram.

