

IN THE COURT OF THE DISTRICT MUNSIF AT UDHAGAMANDALAM

O.S. No. 01 of 2016

L. Kumar

... Plaintiff

/Vs/

1. R. Lingan (Since Deceased)*

2. M/s. Udhagamandalam Municipality,

Rep. by its Commissioner

3. Jayamma (Since Deceased)*

4. Latha (Since Deceased)*

5. Rani

6. Priya

7. Rukmani

8. Meena

9. L. Devaraj (Since Deceased)*

... Defendants

***(Amended as per Order in I.A. No. 01 of 2019, dated 23.09.2019)**

***(Amended as per Order in I.A. No. 01 of 2023, dated 02.02.2024)**

***(Amended as per Order in I.A. No. 06 of 2025 dated 03.09.2025)**

**VALUATION OF SUIT SCHEDULE PROPERTIES FOR THE PURPOSE OF
COURT FEES**

Section And Sub-Section	:	Section 25(d) and 27(c) of the Tamilnadu Court Fees and Suit Valuation (amended) Act, 2003.
Nature of the suit	:	Suit for Declaration, Consequential Permanent Injunction, Declaration and Consequential Mandatory Injunction
Annual Revenue or rent payable	:	Not applicable
Market Value of the suit properties	:	Not applicable and not ascertainable

Value for the purpose of : Rs. 1,000/- for each relief.
jurisdiction is

Value for the purpose of Court : Rs.1,000/- for each relief.
Fees

Court fee paid thereon : Rs. 302.00/-

UDHAGAMANDALAM

Sd/-xxx

21.12.2015.

Advocate for the plaintiff

//True Copy//

/By Order/

Sd/-xxx
**Head Clerk,
District Munsif Court,
Udhagamandalam.**

**IN THE COURT OF THE DISTRICT MUNSIF AT UDHAGAMANDALAM,
THE NILGIRIS**

**Present: Thiru. L. PRAKASH, B.Sc., B.L.,
DISTRICT MUNSIF, UDHAGAMANDALAM.**

Tuesday, the 14th day of July 2026

**O.S. No. 01 of 2016
(CNR No. TNNS03 - 00003 – 2016)**

L. Kumar,
S/o. R. Lingan,
A Hindu, Aged about 38 years,
Residing at 89 (Portion), Willowle Line,
Bakie Road, near Nilgiri Woodlands,
Udhagamandalam and Post,
The Nilgiris.

... Plaintiff

/Vs/

1. R. Lingan (Since Deceased)*
S/o. late Ramaiah,
2. M/s. Udhagamandalam Municipality,
Rep. by its Commissioner,
Municipal Office, Udhagamandalam,
The Nilgiris.
3. Jayamma (Since Deceased)*
W/o. R. Lingan
4. Latha (Since Deceased)*
W/o. L. Srinivasan,
5. Rani,
D/o. Late. L. Srinivasan,
Aged about 31 years,
6. Priya,
D/o. Late. L. Srinivasan,
Aged about 29 years,
(D5 & D6 are residing at D.No. 90/C,
Willolye line, Bakie road, Udhagamandalam,

The Nilgiris).

7. Rukmani

**D/o. Late. R. Lingan,
Aged about 51 years,
D.No. 77, Rajiv Gandhi Nagar,
Dhoni Bungalow, Forest Gate,
Udhagamandalam, The Nilgiris.**

8. Meena,

**D/o. Late. R. Lingan,
Aged about 48 years,
D.No. 89-A, Willowlye line,
Bakie Road, Udhagamandalam,
The Nilgiris.**

9. L. Devaraj (Since Deceased)*

W/o. late R. Lingan,

... Defendants

***(Amended as per Order in I.A. No. 01 of 2019, dated 23.09.2019)**

***(Amended as per Order in I.A. No. 01 of 2023, dated 02.02.2024)**

***(Amended as per Order in I.A. No. 06 of 2025 dated 03.09.2025)**

Suit has been filed by the plaintiff seeking (i) a declaration that the unilateral Cancellation Deed dated 01.04.2015, registered as Document No. 493 of 2015 on the file of the Sub-Registrar, Joint-I, Udhagamandalam, executed by the 1st defendant in respect of the suit property, is null and void, inoperative and not binding upon the plaintiff, being contrary to law and public policy; (ii) a consequential permanent injunction restraining the 1st defendant, his legal heirs, successors, agents, servants or anyone claiming through or under him from interfering with the plaintiff's peaceful possession and enjoyment of the suit property or alienating the same in favour of third parties; (iii) a declaration that the proceedings of the 2nd defendant in Ka.Vi. No. 265/2014/F1 dated 14.06.2016 cancelling Building License No. 241 of 2015/F1 dated 06.11.2015 are arbitrary, illegal and violative of the principles of natural justice; (iv) a consequential mandatory injunction directing the 2nd defendant to renew Building License No. 241 of 2015/F1 dated 06.11.2015; and (v) costs of the suit. During the pendency of the suit, the 1st defendant died intestate on 24.07.2022, and his legal heirs were brought on record as defendants 3 to 9.

**Suit for Declaration, Consequential Permanent Injunction and
Declaration and Consequential Mandatory Injunction.**

Date of the suit : 21.12.2015 & 18.01.2016.

Filing of the suit : 18.01.2016.

Cause of action arose at Udhagamandalam, The Nilgiris on and since, 13.05.2013, 20.08.2014, 12.12.2014, 01.04.2015, 10.08.2015, 04.09.2015, 15.10.2015, 06.11.2015, 12.12.2015, 14.06.2016, 05.05.2017, 09.05.2017 and 09.01.2019.

Value of the suit : Rs.1,000/- + Rs.1,000/- + Rs.1,000/- = Rs.3,000/-
(For all prayers)

Value for the Purpose of Court Fee : Rs.3,000/-

A court fee of Rs.75.50/- + Rs.75.50/- + Rs.151.00/- = 302.00/- is paid Under Sections 25(d) & 27(c) of Tamilnadu Court Fee and Suit Valuation (Amended) Act, 2003.

This suit came on 07.07.2026 for final hearing before me in the presence of Thiru. K. Chandramohan, learned Counsel for the Plaintiff and of Tmt. K. Menaga, learned Counsel appearing for the Defendant No. 2 and Thiru. N. Narayanan Kutty, learned Counsel for the Defendant No. 6 and of Thiru. T.K. Babu, learned Counsel for the Defendant No. 8 and the Defendants No. 5 and 7 remains exparte in this suit and the Defendants No. 1, 3, 4 and 9 reported dead and their legal heirs brought in to record, upon having stood over till this day for consideration, and this court passes the following:

DECREETAL ORDER

(a) That the suit be and the same is hereby decreed in part with the following directions:

(b) That it is declared that the unilateral Cancellation Deed dated 01.04.2015, registered as Document No.493 of 2015 on the file of the Sub-Registrar, Joint-I, Udhagamandalam, executed by the deceased 1st defendant in respect of the

suit property, is null and void, inoperative and not binding on the plaintiff.

(c) That the defendants 5,6,7,8, their men, agents, servants, legal heirs or anybody claiming through them are hereby permanently restrained from in any manner interfering with the plaintiff's peaceful possession and enjoyment of the suit property or alienating the suit property to third parties.

(d) That it is further declared that the proceedings of the 2nd defendant in Ka.Vi.No.265/2014/F1 dated 14.06.2016, cancelling Building License No.241 of 2015/F1 dated 06.11.2015, are arbitrary, illegal, null and void and not binding on the plaintiff.

(e) That the 2nd defendant is directed, by way of mandatory injunction, to renew/revalidate Building License No.241 of 2015/F1 dated 06.11.2015, or issue a corresponding fresh building permission in accordance with the building rules and regulations in force, if any procedural compliance has become necessary solely due to the lapse of time, without reopening the question of the plaintiff's title over the suit property and without relying upon the unilateral Cancellation Deed dated 01.04.2015, within Four (4) weeks from the date of receipt of a copy of this Judgment, subject to the plaintiff complying with the applicable procedural requirements, if any.

(f) That the Parties are directed to bear their own costs.

(g) That the Office of this court is directed to forward a copy of this Judgment to the Sub-Registrar, Joint-I, Udthagamandalam, The Nilgiris, immediately after the Judgment attains finality, for taking necessary action in accordance with law and for making appropriate entries in the relevant registration records, if required.

MEMO OF COST

Plaintiff's side:

Stamp on Plaint: Rs.302.00/-

Vakalath : Rs.05.00/-

Total : Rs.307.00/-

Defendants' side:

Vakalath : Rs.35.00/-

Total : Rs.35.00/-

(Cost list not filed by both sides)

SCHEDULE OF PROPERTY

Registration District : The Nilgiris
Registration Sub-District : Udhagamandalam Joint-I.
Town /Municipality : Udhagamandalam
R.S. No : 549/3
Town Survey No : H/2/4
Extent owned by the plaintiff : Two and half cents
Extent for which relief sought for : Two and half cents of land together with right of ways.

BOUNDARIES

North : Land belongs to M/S. Hajee Mohammed Yoonus Sait and Sons
South : Right of way
East : Right of way and Radhamma's property
West : Remaining land belongs to the defendant.

Given under my hand and seal of this court, this the 14th day of July 2026.

**DISTRICT MUNSIF,
UDHAGAMANDALAM.**

Decree:

O.S. No. 01/2016

Date: **14.07.2026**

**District Munsif Court,
Udhagamandalam.**