

IN THE COURT OF THE DISTRICT MUNSIF, KOTAGIRI, THE NILGIRIS.

PRESENT: TR.C.Sridhar, B.Sc, B.L.,

District Munsif, Kotagiri.

Dated on this the 19th September of 2018

O.S.No.37/2013

Lakshmi alias Lakshmiammal,
W/o.Late Guruvan, a Hindu,
Aged about 68 years, Presently
residing at Hosahatty Hamlet,
Kattabettu Post, District of Nigiris.

..... Plaintiff

/Vs/

J.Lingan, S/o.Late Joghee Gowder,
Aged about 73 years, Presently residing
at Hosahatty Hamlet, Kattabettu Post,
District of Nilgiris.

.....Defendant

This is suit for a restraining the defendants and his men, agents, relatives and all those who are claiming through or under him in any manner interfering with and interdicting the peaceful possession and enjoyment of the plaintiff over the plaintiff mentioned property by way of perpetual injunction with cost of the suit.

The plaintiff husband namely Guruvan. The defendant J.Jevanan, J.Lingan are own brothers. The three brothers jointly purchased land 4.09 acres in old S.No.528/2 N.S.No.666/3 of Naduhatty sale dated 6.2.1968 as document No.84/1968 at Kotagiri. The original sale deed is made the custody of the defendant. The plaintiff could not obtain the registration copy of the sale deed three brothers orally equally divided were allotted an extent of 1.36 acres. The plaintiff's husband passed away (J.Guruvan) and he had gifted the 'A' Schedule property of an extent 0.02 acres to the plaintiff out of 1.36 acre. Under the settlement deed dated 12.12.1990 Document no.1483/1990. In the said property the plaintiff has constructed two houses bearing D.No.2/289/1 and 2/290/2 of Naduhatty. In Schedule 'B' extent of 1.34 acres the plaintiff's name has been mutated in the revenue records. The original release deed, the chitta extract and the land revenue receipt are submitted herewith. The defendant interdict the peaceful possession on 30.7.2013 again 30.8.2013. The defendant has made another attempt to meddle with the possession. Hence the plaintiff has been constructed to invoke the assistance of this Hon'ble Court. Hence the suit.

Date of suit : 23.08.2013
Cause of Action arose at Naduhatty Revenue village, Kotagiri on and since : 30.07.2013 & 03.08.2013

The value of this suit for the purpose of Court fees is Rs.1000/- and jurisdiction and Court fee of Rs.75.50/- has been paid thereof under section 27(c) of the Tamil Nadu Court Fees and Suit Valuation Act, 1955.

This suit is coming on this 19th day of September 2018 for final hearing before me in the presence of Thiru.B.Radha Krishnan, Advocate for Plaintiff, S.Ganesh, Advocate for defendant having stood over for consideration till this date and this court delivers the follows:

1. that the plaintiff to get restraining the defendant, his men, agents, relatives and all those who are claiming through or under him in any manner interfering with and interdicting the peaceful possession and enjoyment of the plaintiff over the plaint mentioned property by way of perpetual injunction
2. that the defendant do pay to the plaintiff a sum of Rs.110.50/- being the cost of the suit. (Cost list not filed)

COST MEMO

For Plaintiff side:

1.Stamp on plaint	:Rs. 75.50
2.Stamp on Power	:Rs. 5.00
3.Service of Process	:Rs. 30.00
Total	:Rs.110.50

(Cost list not filed)

For Defendants side:

Vakkalath	:Rs.5.00
Total	:Rs.5.00

SCHEDULE OF PROPERTY

SCHEDULE (A)

Registration District	:	The Nilgiris
Registration Sub-District	:	Kotagiri
Taluk	:	Kotagiri
Revenue Village/Town	:	Naduhatty
Old Survey Number	:	528/2A1
New Survey Number	:	666/3

Extent entitled to and
injunction sought : 0.02 acres together with the premises
bearing Door Nos.2/289/1 and 2/290/2
of Naduhatty Panchayat

BOUNDARIES

East : Property belonging to J.Jevanan
West : Property belonging to J.Lingan
North : Remaining property of J.Guruvan
South : Highway Road

SCHEDULE (B)

Registration District : The Nilgiris
Registration Sub-District : Kotagiri
Taluk : Kotagiri
Revenue Village/Town : Naduhatty
Old Survey Number : 528/2A1
New Survey Number : 666/3
Extent entitled to and
injunction sought : 1.34 acres

BOUNDARIES

East : Property belonging to Jevana Gowder
West : Property belonging to J.Lingan
North : Property belonging to Government
South : Property belonging to Plaintiff and Kotagiri - Ootacamund Road

Given under my hand and seal of this Court, this the 19th day of September 2018.

Sd/- Tr.C.Sridhar,
DISTRICT MUNISIF,
KOTAGIRI.