



**IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KAMUTHI.**

**Present: Tmt.G.Thanga Karthika, B.Sc.,B.L.,
District Munsif cum Judicial Magistrate,
Kamuthi.**

**Wednesday, the 29th day of July 2026
CNR.No.TNRM070073252024
O.S.No.35/2024**

Velu

....Plaintiff

Vs

1. Murugesan
2. Murugan
3. Balamurugan
4. Muthuvel
5. Arjunan

....Defendants

This suit came up before this Court for final hearing on 13.07.2026 in the presence of Thiru. P. Rajendran, learned counsel for the plaintiff. The defendants remained ex parte and were not represented. Upon hearing the arguments advanced on behalf of the plaintiff and the matter having been reserved for consideration till this date, this Court delivers the following:

J U D G M E N T

This suit has been filed by the plaintiff seeking a declaration that the suit property belongs to the plaintiff and consequently to grant the relief of permanent injunction restraining the defendants, their men or agents from interfering with the plaintiff's peaceful possession and enjoyment thereof in any manner.

1. The case of the plaintiff, in brief, is as follows:

- i. The suit property absolutely belongs to the plaintiff by virtue of a registered Sale Deed dated 30.07.2021 executed by Ramasamy the original owner of the suit property in favour of the plaintiff registered as Document No.446/2021 on the file of the Sub-Registrar Office, Perunali. From the date of purchase the plaintiff has been in peaceful and exclusive



possession and enjoyment of the suit property. The plaintiff has constructed a tiled-roof shed in the suit property, wherein he is rearing country chickens and quails. In one portion of the suit property the plaintiff has constructed a kitchen and in the northern portion he has constructed a toilet. He has also planted and raised trees such as coconut, almond and moringa in the suit property. While so taking advantage of the plaintiff's old age the defendants attempted to trespass into the suit property and interfere with the plaintiff's peaceful possession and enjoyment. The defendants are third parties in respect of the suit property and have no manner of right title or interest over the same.

ii. The plaintiff lodged a complaint before the Perunali Police Station and also approached the Superintendent of Police, Ramanathapuram. However, no action was taken by the police on the ground that the dispute was civil in nature. Thereafter, the plaintiff through his wife submitted a petition before the District Collector. Though it was stated that appropriate action would be taken after conducting an enquiry, no action has been taken so far. Hence, the plaintiff was constrained to file the present suit seeking the relief of declaration and permanent injunction against the defendants. After taking the suit on file this Court issued summons to the defendants. On receipt of the summons, the defendants entered appearance through their learned counsel. However, despite their appearance they failed to file their written statement within the stipulated time. Hence, the defendants were set ex parte by order of this Court dated.

1. EVIDENCES:

On the side of the plaintiff, the plaintiff himself was examined as P.W.1, and Ex.A1 and Ex.A2 were marked in support of the plaintiff's case.

2. Point for consideration:-

Now, the point for consideration is Whether the plaintiff is entitled to the reliefs as prayed for?

3. Answer to the point for determination:-

i. As per the plaint averments the plaintiff claims to be the absolute owner of the suit property by virtue of the registered Sale Deed dated 30.07.2021 executed by Ramasamy in favour of the plaintiff and registered as Document No.446/2021 on the file of the Sub-



Registrar Office, Perunali. It is the specific case of the plaintiff that from the date of purchase he has been in peaceful and exclusive possession and enjoyment of the suit property as its absolute owner. In support of his case, the plaintiff himself was examined as P.W.1 and Ex.A1 and Ex.A2 were marked. Ex.A1 is the registered Sale Deed dated 30.07.2021, which evidences the plaintiff's title over the suit property. The recitals contained in Ex.A1 clearly establish that the suit property was conveyed by Ramasamy in favour of the plaintiff. Hence, from the oral testimony of P.W.1 and the documentary evidence particularly Ex.A1, this Court is satisfied that the plaintiff has established his title and possession over the suit property from the date of purchase.

ii. It is also pertinent to note that, though the defendants entered appearance through their learned counsel, they failed to file their written statement and were subsequently set ex parte. Therefore, there is no defence evidence or rebuttal on the side of the defendants to disprove the plaintiff's case or to challenge the title and possession claimed by him. In the absence of any contra evidence, this Court has no reason to disbelieve the evidence of P.W.1 and the documentary evidence produced on the side of the plaintiff. The evidence of P.W.1 coupled with Ex.A1 remains uncontroverted. Accordingly, this Court finds that the plaintiff has proved his title and possession over the suit property and is entitled to the reliefs of declaration and permanent injunction as prayed for.

4. In the result, the suit is decreed as follows:-

i. It is declared that the suit property absolutely belongs to the plaintiff Mr. Velu by virtue of the registered sale deed dated. 30.07.2021.

ii. Defendants, their men or agents are permanently restrained by way of permanent injunction from interfering with the plaintiff's peaceful possession and enjoyment of the suit property in any manner.

iii. No cost.

Dictated to the Typist, typed by her, corrected and pronounced by me in open Court on this the th day 29 of July 2026.

**District Munsif cum
Judicial Magistrate, Kamuthi.**

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List of Plaintiff side Witnesses:-

Pw1 .. Velu

List of Plaintiff side Exhibits:-

Ex.A1	30.06.2021	Original sale deed executed by one Mr. Ramasamy infavour of Plaintiff.
Ex.A2	08.09.2024	Photocopy of 4 photographs showing the suit property

List of Defendants side Exhibits and Witnesses:- Nil

**District Munsif cum
Judicial Magistrate, Kamuthi.**