

**IN THE COURT OF THE I ADDITIONAL DISTRICT JUDGE  
RANIPET, RANIPET DISTRICT.**

Present: Thiru. A.BALAKRISHNAN, B.B.A., L.L.B.,  
I Additional District Judge,  
Ranipet.

**Friday this the 10<sup>th</sup> day of April 2026**

**O.S.No.23/2021  
(CNR.No.TNRP01-000187-2021)**

1. Lakshmi  
2. Srilekha

... Plaintiffs

-Vs-

1. Saravanan  
2. Sakunthala Ammal

... Defendants.

This suit is coming before me for final hearing on 25.03.2026 in the presence of Thiru D.Mohammed Sadhiquddin, Advocate for the Plaintiffs and Thiru.K.Solmuthu Azhagan, Advocate appeared for the 1<sup>st</sup> defendant but written statement not filed and hence the 1<sup>st</sup> defendant was called absent and set exparte and the suit as against the 2<sup>nd</sup> defendant was dismissed and upon hearing the arguments of plaintiff's side and having stood over for consideration till this day, this court delivered the following:-

**JUDGMENT**

The plaintiffs have filed the suit seeking the relief of declaration of title, the relief of recovery of possession and also the relief of permanent injunction against the defendants.

1. The plaintiffs have averred in the plaint that the suit property with more extent of land was purchased by one Late.Parasuraman, the father-in-law of

the 1<sup>st</sup> plaintiff under two registered sale deeds and after his death, one of his daughter filed a suit in O.S.No.8/2006 on the file of this court for partition of joint family property and the suit was decreed; that the defendants preferred an appeal in A.S.No.1086 of 2007 before the Hon'ble High Court of Madras and during the pendency of the said appeal, the parties have entered into a compromise and accordingly a decree dated 19.02.2013 was passed in terms of the compromise memo; that the suit property and another land with super structure were allotted to the share of the plaintiffs in the said compromise decree and ever since from the date of decree of Hon'ble High Court of Madras, the plaintiffs have been enjoying the suit property; that the plaintiffs permitted the 1<sup>st</sup> defendant to manage and look after the suit property for the reason that the plaintiffs had to be at Chittoor and while being so, the 1<sup>st</sup> defendant with malafide intention of grabbing the property was trying to create fabricated records and hence the plaintiffs demanded the 1<sup>st</sup> defendant to deliver the possession of the suit property in the 1<sup>st</sup> week of December 2020, but the 1<sup>st</sup> defendant has been evading to deliver the possession of the suit property to the plaintiffs falsely claiming title to the property and hence the suit is filed.

2. The 1<sup>st</sup> defendant remained exparte. The plaintiffs have filed a memo on 09.01.2025 stating that the 2<sup>nd</sup> defendant died pending the suit and his legal representatives need not be impleaded for the reason that he was added in the suit only as a formal party. This court by recording the said memo on 19.03.2025, has dismissed the suit against the 2<sup>nd</sup> defendant on 19.03.2025.

3. In order to establish their case, the 1<sup>st</sup> plaintiff entered into the witness box and examined as PW1. Ex.A1 to Ex.A5 such as online downloaded copy of sale deed dated 09.02.1957 in the name of Parasurama Naicker, true copy of sale deed dated 09.01.1960 in the name of Parasurama Naicker, death certificate of Parasuraman, certified copy of decree in

Appeal No.1086 of 2007 of Hon'ble High Court of Madras dated 19.02.2013 and certified copy of report filed by the Advocate Commissioner in A.S.No.1086 of 2007 on the file of Hon'ble High Court of Madras were marked. Besides PW1, no other witness was examined.

4. The 1<sup>st</sup> plaintiff is the daughter-in-law of Late.Parasuraman and the 2<sup>nd</sup> plaintiff is the daughter of 1<sup>st</sup> plaintiff. It is seen from the averments of plaint that one Mr.Ramesh is the son of Late.Parasuraman and he died leaving the plaintiffs as his legal heirs. It is clear from perusal of Ex.A1 and Ex.A2 sale deeds that the above said Parasuraman had purchased 70 cents and 15 cents of lands under the above sale deeds respectively. It is also clear from Ex.A3 death certificate that the above said Parasuraman died on 24.06.1975.

5. As stated above, it is the specific case of the plaintiffs that the suit property and another land were allotted to their shares by the Hon'ble High Court of Madras as per the compromise decree dated 19.02.2013. It is clear from perusal of Ex.A4 certified copy of decree in Appeal No.1086 of 2007 dated 19.02.2013 that the Hon'ble High Court has passed a decree in terms of memo of compromise filed by the parties in the appeal and Item Nos.5 and 7 have been allotted to the share of the plaintiffs herein. It is also clear from Ex.A5 report of the Advocate-Commissioner that the plaintiffs had taken delivery of physical possession of item Nos.5 and 7 as per memorandum of delivery of possession annexed with Ex.A5 report. It is clear from Ex.A4 compromise decree and Ex.A5 report of the Advocate Commissioner that the suit property was allotted to the shares of the plaintiffs and it was also delivered to their possession. The plaintiffs have pleaded and adduced oral evidence that the 1<sup>st</sup> defendant had falsely claimed title without having any right over the suit property. As stated

above, the 1<sup>st</sup> defendant is remained exparte. Considering the oral and documentary evidence adduced on the side of the plaintiffs, this court is of the view that the plaintiffs are entitled to get the relief of declaration of title in respect of the suit property as prayed for.

6. The plaintiffs have alleged that the 1<sup>st</sup> defendant who was permitted to manage and look after the suit property had been evading to hand over the possession of the suit property to the plaintiffs falsely claiming title over the suit property. As stated above, the plaintiffs have established their title over the suit property by producing satisfactory oral and documentary evidence. In the above circumstances, this court is of the view that they are entitled to get the relief of recovery of possession and permanent injunction against the 1<sup>st</sup> defendant as prayed for.

In the result, the suit is decreed with cost as prayed for as against the 1<sup>st</sup> defendant and the reliefs of declaration of title, recovery of possession and permanent injunction are granted in favour of the plaintiffs as against the 1<sup>st</sup> defendant.

Dictated by me to the Steno-Typist transcribed and typed by her, corrected and pronounced by me in the open court on this the 10<sup>th</sup> day of April 2026.

I Additional District Judge,  
Ranipet.

**Witness Examined on the side of Plaintiffs.**

PW1 Tmt.Lakshmi

**Exhibits marked on the side of the Plaintiffs**

Ex.A1	14.02.1957	Sale deed executed by Lakshmi Ammal and another in favour of Parasurama Naicker.	(Online downloaded copy)
Ex.A2	09.01.1960	Sale deed in the name of Parasurama Naicker.	(True copy)
Ex.A3	07.04.2005	Death Certificate of Parasuraman.	(Original)
Ex.A4	19.02.2013	Compromise decree and Judgment in A.S.No.1086/2007 on the file of Hon'ble High Court of Judicature at Madras.	(Certified copy)
Ex.A5	07.12.2012	Advocate Commissioner Report in A.S.No.1086 of 2007 on the file of Hon'ble High Court of Judicature at Madras.	(Certified copy)

I Additional District Judge,  
Ranipet.