

IN THE COURT OF THE SUBORDINATE JUDGE OF SANKARI.

Present: **Thiru. E. Rajendrakannan, M.A., M.L.**  
**Subordinate Judge, Sankari.**

Tuesday, this the 4<sup>th</sup> day of April 2017

**Original Suit No.66/2016**

1. Mariammal  
2. Rekha  
3. Kavitha

... Plaintiffs

/Versus/

1. Thangaraju  
2. Suresh

... Defendants

This suit is coming on this day for final hearing before me in the presence of Tmt. A. Kalaichelvi, Advocate for the Plaintiffs and the Defendants was set as exparte since who did not choose to appear on receipt of summon, The PW1 and 2 were examined and Ex.A1 to A6 marked and completion of trial the argument of plaintiff heard and on due consideration this court deliver the following.

### **Judgment**

To pass a preliminary Decree in favour of the plaintiffs ;and against the defendants by dividing the suit property into 8 equal shares by considering the nature of soil, tharam, cart track provisions and other matters and allot 3 such shares to the plaintiffs and make a provision for the passing of final decree by appointment of commission for the division of suit property in accordance with law, restraining the defendants their men, agents and servants from in any way alienating and encumbering of suit property by a decree of permanent injunction and award the cost of the suit.

2. On receipt of summons by post and court the defendants did not choose to appear before this court and who remains absent hence who is set as exparte by holding the service as sufficient.

3. The plaintiff examined himself as PW1 and who Exhibits the Settlement deed in the name of Kuppayammal as Ex.A1, Patta Nos. 186, 1210, 176 as Ex.A2 series, Patta No.484 as Ex.A3, House Tax Receipt as Ex.A4, Ration Card as Ex.A5, Death Certificate of Subburu as Ex.A6. The PW-2 is also supported the plaintiffs case in his evidence who fortified the contention of plaintiffs and Ex.A1 to A-16. Thereby the Plaintiffs proved the case beyond any reasonable doubt.

4. Finally, That the plaintiffs are entitled for 3/8 shares over the suit property, it shall be divide by mets and bounds preliminary decree is passed accordingly.

5. In default, the plaintiffs are at liberty to do the same by due process of law.

6. It is hereby ordered that, the defendants and their men agents and servants be and are hereby restrained from alienating and encumbering the suit property till passing final decree, permanent injunction is granted accordingly.

6. The Defendants shall bear the cost of plaintiffs.

Pronounced by me in open court, this the 29<sup>th</sup> day of April 2017.

Sd/-E.Rajendra Kannan,  
Subordinate Judge,  
Sankari.

**Plaintiff's Witness:**

PW1 .. Tmt. S. Rekha

PW2 .. Thiru. Madhesh

**Plaintiff's Exhibits:-**

Ex.A1 / 21-12-67	/ Settlement deed in the name of Kuppayammal	/ Original
Ex.A2 / ----	/ Patta Nos.186, 1210 and 176	/ Attested Copy
Ex.A3 / ----	/ Patta No.484	/ Attested Copy
Ex.A4 / 31-3-2009	/ House Tax Receipt	/ Original
Ex.A5 / ----	/ Ration Card	/ Attested Copy
Ex.A6 / ----	/ Death Certificate of Subburu	/ Original

Defendant's Witness and Exhibits: -Nil-

Sd/-E.Rajendra Kannan,  
Subordinate Judge,  
Sankari.