

IN THE COURT OF THE DISTRICT MUNSIF, METTUR
PRESENT: Thiru. S. Prince Samuvel Raj, B.A., L.L.M,
District Munsif of Mettur.

Tuesday, this the 21st day of September 2021

ORIGINAL SUIT No.83/2008

CNR.No.TNSA170000082008

1. Lakshmi
2. Kamala

---Plaintiffs

/Versus/

1. Sundararajan (Died)
2. Parimala (Died)
3. Mani @ Saratha
4. Saroja
5. Chinnathayee
6. Kondri
7. Sekar
8. The Commissioner, Panchayat at Union, Nangavalli.
9. Munusamy

---Defendants

(Amended as per order in I.A.889/2010,
dated.27.09.2010)

This suit coming on this day for hearing before me in the presence of Tmt.G.Malathi, Advocate for the plaintiffs and Thiru.B.Balamurugan, Advocate for the 3rd Defendant and 4 to 11 Defendants are called absent set exparte. No representation for plaintiffs till 4.40.p.m. APC not filed. Amendment not properly carried out. The suit is pending from 2008 without any progress and this court delivered the following;

JUDGMENT

Suit for Declaration & Partition and Permanent Injunction:- a) Declaring that the sale deed document No.79/2002, dated.25.01.2002 the executed by the 1st defendant and on behalf of his minor children's and his mother kandammal in favour of the 5th defendant in respect of the suit properties as null and void; b) Declaring that the sale deed document No.1553/2004, dated.15.09.2004 executed by the plaintiff's mother kandammal to the 6th defendant in respect of the suit properties as null and void; c) Declaring that the sale deed document No.1872/2006, executed by the 1st defendant in favour of the 7th defendant in respect of the suit properties as null and void; d) Declaring that the sale deed document No.1910/2006, dated.07.09.2006 executed by the 1st and 2nd defendant in favour of the 4th defendant in respect of the suit properties as null and void; e) Declaring that the gift

settlement deed document No.1780/2008, dated.07.07.2008 executed by the 1st defendant in favour of the 8th defendant in respect of the suit properties as null and void; f) Declaring that the decree in O.S.No.60/2009, dated.20.04.2009 passed by this Hon'ble court in favour of the 9th defendant and against the 1st defendant as null and void; g) Declaring that the settlement deed dated.30.08.2006 was fraudulently obtained by the 1st defendant from the deceased mother kandammal in respect of the suit properties as null and void and it is not acted upon; h) Declaring that the sale deed dated.18.05.2007 executed by the 1st defendant in favour of the 2nd defendant in respect of the suit properties as null and void; i) Directing the 1st defendant to divide the suit properties into 4 equal shares and allot one each shares to the each plaintiffs respectively by metes and bounds within the stipulated time fixed by the Hon'ble court by means of preliminary decree; j) Failing compliance the the Hon'ble court may be pleased to appoint a commissioner and direct him to divide the suit property in terms of preliminary decree in the final decree proceedings; k) Granting permanent injunction restraining the defendant and their men from in any way alienating or encumbering the suit properties till the delivery is effected; l) Granting permanent restraining the 3, 4 to 9 defendants and their men from in any way interfering or trespassing into the plaintiff's joint possession and enjoyment of the suit property; awarding the cost of the suit.

No representation for plaintiffs till 4.40.p.m. APC not filed. Amendment not properly carried out. The suit is pending from 2008 without any progress. Hence the suit is dismissed for default.

Pronounced by me in open Court this the 21st day of September 2021.

Sd/- S.Prince Samuvel Raj,
District Munsif,
Mettur.