

IN THE COURT OF THE SUBORDINATE JUDGE, OMALUR.

PRESENT: Thiru K.Dhayanithi, M.A., B.L.,

Subordinate Judge, Omalur.

On , Wednesday 14th day of August 2019.

O.S.No.48/ 2019

(O.S.No.59/2013 of Sub Court, Mettur)

Sumathi

... Plaintiff

/Versus/

- 1.Kumaravel
- 2.Muthammal
- 3.Venkatachalam
- 4.Chinnapaiyan
- 5.Sidhammal

...Defendants

This suit is coming up for hearing before me today. In the presence of Thiru.V.Dirairaj, Advocate for the plaintiff and Thiru.S.Rajendran, Advocate for defendants 1 and 2 and Thiru.A.Ramakrishnan, Advocate for defendant 3, and plaintiff called absent and no representation. Upon having stood over for consideration, this Court delivers the following.

JUDGMENT

The suit is filed to pass a preliminary decree for partition in favour of the plaintiffs against the defendants directing them to divide the entire suit properties into 2 (Two) equal shares and in that shares allot 1 (one) such share in a consecutive manner to the plaintiff considering all the rights and other easement rights attached to the suit properties and the plaintiff may be put in legal possession, and if the defendants failed to comply the preliminary Decree, this Hon'ble Court may kindly be pleased to make a provision for final decree and the defendants failed to comply the Preliminary Decree, this Hon'ble Court may kindly be pleased to make a provision for final decree and to declare that the alleged Decree passed in OS.48/2008 dated 14.08.2008 on the file of the Honourable Subordinate Judge Court at Mettur as null and void and obtained by fraud and, to declare that the alleged sale Deed dated 23.04.2009 registered under Document Number 2687/2009 of Sub Registrar Office, Omalur as null and void, will not bind the plaintiff, cannot as null and void, will not bind the plaintiff, cannot be enforced in the court of law and to pass a consequential relief of Permanent injunction against the 3rd defendant and his men, agents, Subordinates restraining them from in any way alienating, encumbrance the suit properties based on the alleged Sale

deed dated 23.4.2009 registered under Document Number 2687/2009 of Sub Registrar Office, Omalur inclusive of the plaintiff's share till the partition proceedings are legally completed by due process of law permanently and to pass an order of permanent injunction against the defendants 3 to 5 herein restraining them from in any way preventing, causing inconvenience to the plaintiff's enjoyment in the 1/4 well right in the suit properties and awarding the cost of the suit. Plaintiff called absent and no representation. Hence, suit is dismissed for default. No cost.

Pronounced by me in the open Court, this the 14th day of August 2019.

Sd./- K.Dhayanithi

*Subordinate Judge,
Omalur.*

Plaintiff's side witnesses & Exhibits:- Nil

Defendant's side witnesses & Exhibits:- Nil

Sd./- K.Dhayanithi

*Subordinate Judge,
Omalur.*