

IN THE COURT OF THE DISTRICT MUNSIF, TIRUTTANI

Present : Tmt. R.D. Gurulakshmi, M.A., M.L., P.G.D.I & C.L.,

District Munsif, Tiruttani.

Dated the Wednesday of 22nd Day of October 2025

I.A.No.8/2025 in OS.No.11/2016

(CNR.No.TNTR21-000086-2022)

...

1. P. Rajendran

2. R. Venkatesan

... Petitioners / 1,2 Defendants

/Versus/

1. C. Govindaswamy

2. C. Manivannan

3. C. Srinivasan

4. C. Krishnan

... 1 to 4 Respondents/Plaintiffs

5. Sub-Registrar, Perambakkam

6. The District Collector, Tiruvallur District

7. The Revenue Divisional Officer, Tiruttani

8. The Tahsildar, Tiruttani

... 5 to 8 Respondents/3 to 6 Defendants

This petition came up before me for the final hearing on 13.10.2025 in the presence of M/s. V. Kirubanandham, B. Jamuna Advocates for Petitioners /1,2 Defendants, M/s. A. Haridoss, A. Akila, Advocates for 1 to 4 Respondents/Plaintiffs, R1 to R4 counter not filed, hence set exparty and R5 to R8 were exparty in suit. Upon hearing both sides and having stood over for consideration till this day, this court delivered the following:

ORDER

This petition is filed under Order XLI Rule 5(2) and Section 151 of CPC to stay the further proceedings of the decree in favor of the petitioner till the grant of copy application and Mandatory period of Appeal in the above suit.

1. The averments of the petition in brief are as follows:-

The respondents/plaintiff have filed the above suit for declaration and for permanent injunction and for direction as against the government official. On 22.07.2025 the suit was partly decreed. Subsequently priory the 1st petitioner was purchased the suit property from one P. Arumugam by way of registered sale deed document No.3088/2010, SRO, Perambakkam. Since from 01.11.2010 the possession of the suit property was already handed over to the 2nd petitioner. In this circumstance

the judgment passed in favour of the respondents 1 to 4 on the basis of UDR patta obtained in the name of their mother Kamalammal without determinations of questions on the said registered sale deed Doc.No.3088/2010.

(b) On 23.07.2025 the petitioner has filed an application for getting the certified copy of decree and judgment in this above suit. At this juncture the respondents 1 to 4/plaintiffs are unlawfully forcefully trying to take the possession and enjoyment of the suit property. If the respondents 1 to 4 have unlawfully evicted the petitioners from the suit property, the petitioners will be suffered very badly. Therefore the petitioners filed this petition.

2. In spite of sufficient opportunity given to R1 to R4, counter of R1 to R4 not filed, hence R1 to R4 were set ex parte.

3. **Point for determination:**

Whether the petitioners are entitled to the relief as sought for? or not?

4. Heard petitioners side. According to petitioner, the above suit was partly decreed on 22.07.2025. At this juncture the respondents 1 to 4/plaintiffs are unlawfully and forcefully trying to take the possession and enjoyment of the suit property. If the respondents 1 to 4 have unlawfully evicted the petitioners from the suit property, the petitioners will be suffered very badly. Hence the petitioners pray to allow this petition.

5. On perusal of records, this petition filed by the petitioners seeking permission to stay the further proceedings to get the copy application and Mandatory period of Appeal in the above suit. In this case judgment pronounced on 22.07.2025. Copy application complied on 04.08.2025. Already mandatory period of appeal is completed. Considering the facts and circumstances, this court is of view that this petition has to be dismissed.

In the result, this petition is dismissed. No cost.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 22nd day of October 2025.

District Munsif,
Tiruttani.

Petitioner and Respondents side Exhibits and witness: NIL

District Munsif/ Tiruttani.