

**IN THE COURT OF THE DISTRICT MUNSIF AT TIRUTTANI**

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

**District Munsif, Tiruttani.**

**Dated this Saturday the 6<sup>th</sup> day of June 2026**

**OS.No.23 OF 2024**

(CNR.No.TNTR21-000032-2024)

...

1. P.N. Srinivasan (died)

2. P.N. Venkatesan

3. P.N. Rajendiran

4. P.N. Amutha

5. Muniammal

6. N. Jothilakshmi

7. S. Nathakumar

... Plaintiffs

(Amended as per order in IA.No.3/2026, Dated:12.02.2026)

/Versus/

1. The Assistant Engineer, Highways Department, Tiruttani - 631209.

2. The Assistant Divisional Engineer,  
Highways Department, Tiruttani - 631209.

3. The Divisional Engineer, Tiruvallur Division,  
Highways Department, Tiruvallur.

4. The Chief Engineer, Head Officer,  
Highways Department, Chennai -25.

5. The District Collector, Tiruvallur

... Defendants

This suit came up before me for final hearing on 01.06.2026 in the presence of M/s. C.A. Natarajan, Counsel for 2 to 7 plaintiffs, 1<sup>st</sup> Plaintiff died, M/s. Government Pleader for defendants, written statement not filed on the side of defendants, hence defendants were set exparty. Upon hearing Plaintiff's side, upon perusing the records, and having stood over for consideration till this day this court delivered the following:-

**JUDGMENT**

This suit has been filed by the plaintiffs for permanent injunction restraining the defendants, their men, agents and servants from in any manner interfering or encroaching over the plaintiffs' peaceful possession and enjoyment of the suit 'B' schedule properties and for the costs of the suit.

1. **Plaint averments in brief as follows:-**

(a) The suit 'A' schedule and other properties are ancestral properties of one Nagaiah and he was in possession and enjoyment of the same. Patta in Patta No.1071 also issued. The said Nagaiah died on 25.07.2012 leaving behind his 3 sons and one daughter namely the plaintiffs herein and his wife Chengammal as his legalheirs. The plaintiffs have been in joint possession and enjoyment of the suit properties without any hindrance. No partition effected amongst them.

(b) The legal heirs of Nagaiah, jointly executed a registered Power of Attorney dated 2012.2013. The 3<sup>rd</sup> Plaintiff took possession of the suit lands and changed patta in his name and putup lay outs in it. Meanwhile the plaintiffs' mother Chengammal died on 03.06.2000 and the said Power of Attorney deed became invalid. So the plaintiffs took joint possession and sold the house plots to 3<sup>rd</sup> parties.

(c) Whiles, the defendants 1 to 4 who are the Highway department, unlawfully attempting to encroach some extent in the suit 'A' schedule properties on 24.01.2024 which is more fully described as 'B' schedule. The plaintiffs strongly objected the said unlawful act. The plaintiffs issued legal notice to the defendants on 02.02.2024. The defendants received the said notices but they did not gave any reply.

(d) The defendants were attempting to interfere from 10.04.2024 but the plaintiffs successfully resisting their unlawful acts. The 1<sup>st</sup> plaintiff died on 10.08.2025 leaving behind 5 to 7 plaintiffs as his legalheirs. Therefore the plaintiffs filed this suit against the defendants for permanent injunction in respect of the suit 'B' schedule properties. (Amended as per order in IA.No.3/2026, dated 12.02.2026).

2. After service of summons, defendants appeared through their counsel but they failed to file written statement. Consequently they were set exparty.

3. **Point for determination:**

Whether the the suit is to be decreed as prayed for? Or not?

4. According to the plaintiffs, the suit 'A' schedule and other properties are ancestral properties of one Nagaiah. The said Nagaiah died on 25.07.2012 leaving behind the 1 to 4 plaintiffs and his wife Chengammal as his legalheirs. The legal heirs of Nagaiah, jointly executed a registered Power of Attorney in favour of 3<sup>rd</sup> Plaintiff. After the death of plaintiffs' mother Chengammal, the 1 to 4 plaintiffs took joint possession and sold the house sites. The defendants 1 to 4 were unlawfully attempting to encroach some extent to form road without any acquisition or notice. The plaintiffs issued legal notice to the defendants on 02.02.2024. They received the said notices but they did not give any reply. Hence the counsel for plaintiffs prays to decreed the suit.

5. The plaintiffs in order to substantiate their case, the 1<sup>st</sup> Plaintiff has examined himself as Pw1 and marked Ex.A1 to Ex.A9. One Srinivasan examined as Pw2. Ex.A1 is the certified copy of certificate of sale. Ex.A2 and Ex.A3 are the certified copy of Death & Legalheirship certificate of Nagaiah. Ex.A4 and Ex.A5 are the copy of Death & Legalheirship certificate of Chengamma. Ex.A6 is the certified copy of Power of attorney executed by 1, 2, 4, 5 plaintiffs and one Chengammal in favour of 3<sup>rd</sup> Plaintiff. Ex.A7 is the online copy of Patta in Patta No.1071. Ex.A8, Ex.A9 are the legal notice and acknowledgment cards.

6. Plaintiff filed this case against the Highway Departments. Plaintiffs themselves stated in the plaint that defendants surveyed and laid stones in the suit properties to form the Road. **Section 63 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013**, stated as follows:

**“63. Jurisdiction of civil courts bared.-** No civil court (other than High Court under article 226 or article 227 of the Constitution or the Supreme Court) shall have jurisdiction to entertain any dispute relating to land acquisition in respect of which the Collector or the Authority is empowered by or under this

Act, and no injunction shall be granted by any court in respect of any such matter”.

As per Section 63 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act this Court have no jurisdiction to try this suit. Plaintiffs have to approach the appropriate forum to get proper relief. Therefore, the plaintiffs are not entitled to the relief of permanent injunction.

In the result, suit is dismissed. In view of the facts and circumstances of the case, both parties are directed to bear their own costs.

Dictated to my steno-typist, typed by her directly, corrected and pronounced by me in open Court, the 6<sup>th</sup> day of June 2026.

District Munsif,  
Tiruttani.

**Plaintiffs' side Witnesses:-**

Pw1 – Mr. P.N. Srinivasan

Pw2 – Mr. Srinivasan

**Plaintiff's side Exhibits:-**

|   |       |            |                                                            |
|---|-------|------------|------------------------------------------------------------|
| 1 | Ex.A1 | 07.08.1959 | The certified copy of certificate of sale                  |
| 2 | Ex.A2 | 30.05.2012 | The certified copy of Death certificate of Nagaiah         |
| 3 | Ex.A3 | 28.03.2013 | The certified copy of Legalheirship certificate of Nagaiah |
| 4 | Ex.A4 | 08.06.2000 | The certified copy of Death certificate of Chengamma       |
| 5 | Ex.A5 | 06.08.2020 | The online copy of Legalheirship certificate of Chengamma  |
| 6 | Ex.A6 | 20.12.2013 | The certified copy of Power of Attorney                    |
| 7 | Ex.A7 | 03.04.2024 | The online copy of Patta in Patta No.1071                  |
| 8 | Ex.A8 | 02.02.2024 | The legal notice                                           |
| 9 | Ex.A9 | --         | The Acknowledgment cards (5 series)                        |

**Defendants' side Witness and Exhibits:- Nil**

District Munsif,  
Tiruttani.