

**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 Thursday the 26<sup>th</sup> day of March 2026**OS.No.41 OF 2018**

(CNR.No.TNTR21-000042-2018)

G. Chinnarajan

...

... Plaintiff

/Versus/

1. A.J. Durai (died)

2. D. Vanitha

3. D. Raja

4. D. Prasanth

5. D. Prabhu

... Defendants

This suit came up before me for final hearing on 02.02.2026 in the presence of M/s. C.A. Natarajan, Advocate for Plaintiff, D1 died, M/s.E.Shamu, Advocate for 2 to 5 Defendants. Upon hearing both sides, upon perusing the records, and having stood over for consideration till this day this court delivered the following:-

**JUDGMENT**

The suit has been filed by the plaintiff for declaration of plaintiff's right, title and interest over the suit properties and consequent permanent injunction against the defendants, their men, agents, servants from in any manner interfering with the plaintiff's peaceful possession and enjoyment of the suit properties and for costs.

**1. The averments in the plaint filed by plaintiff in brief are as follows:-**

(a) The suit schedule properties are ancestral properties of one Kannammal, W/o. Manicka reddy. There was a thatched house in front side. The said Kannammal was residing with her family in the Thatched house constructed by her ancestors. The Thatched house was collapsed. Now the suit property is Gramanatham vacant site and backyard. The SLR stands in the name of Kannammal. The said Kannammal and her 2 sons sold the suit vacant site and backyard to the plaintiff under registered sale deed dated 20.10.1993 with

specific boundaries. After plaintiff purchased the property he constructed a bathroom and also a latrine in the backyard.

(b) The defendants 3 to 5 who are sons of the 1,2 defendants unlawfully attempting to interfere over the suit properties from 25.04.2018. But the plaintiff had resisted the said unlawful acts. The defendants wanted to grab the suit property by way of threatening the plaintiff on the strength of members. So the plaintiff issued legal notice on 07.05.2018 to the defendant. The defendants received the notice. But they did not give any reply. Hence the plaintiff filed this suit for declaration and for injunction.

2. **Written Statement filed by the defendants in brief are as follows:-**

(a) This suit is false and is not maintainable either in law or on facts. The Kannammal and her two sons sold the suit vacant site and backyard properties by way of registered sale deed and that the plaintiff took possession and that he had constructed latrine and bathroom in the alleged backyard portion measuring East West 12 ½ feet, North South 57 feet, total 699 Sq.ft are denied as false. The suit property is not available on ground. The suit property belongs to Munusamy Reddy, S/o. Govindasamy who is the cousin of 1<sup>st</sup> defendant's father. Suit property is the ancestral property of defendants. The front portion measuring East West 25 feet North South 60 feet belonged to one Jaganatha Reddy who is the father of 1<sup>st</sup> defendant and grandfather of defendants 2 to 5.

(b) Neither the plaintiff nor his vendors were true owners of the suit property. Since the property is ancestral property of the defendant, defendant did not give any reply. Non issuance of reply notice will not confer any right, title and interest to the plaintiff. There is no cause of action for this suit. The suit property value is more than Rs.5,00,000/-. Hence this court has no monetary jurisdiction to try this suit. The defendants are the real owners. Hence injunction cannot be grant against the true owner. The A register contains the 1<sup>st</sup> defendant's father Vannia Jagannada Reddy. This suit is lack of bonafide merits. Hence this suit is liable to be dismissed with cost.

3. **The following issues were framed by this court for the purpose of the trial:-**

1. Whether the Plaintiff's vendors had no right over the suit property to sell the same to the plaintiff as alleged by the defendants?
2. Whether the Plaintiff has right and title over the suit property?
3. Whether the Plaintiff is entitled to declaration of his right and title over the suit property as sought for?
4. Whether the Plaintiff is entitled to consequential relief of permanent injunction as sought for?
5. To what relief plaintiff is entitled to?

4. In this case on the plaintiff's side, the plaintiff has examined himself as Pw1 and Ex.A1 to Ex.A6 were marked. One Velu Naidu was examined as Pw2. On the side of defendants, 2<sup>nd</sup> defendant was examined herself as Dw1 and Ex.B1 to Ex.B3 were marked. Court witness, documents and third party documents were not produced.

5. **Issues No.1 to 4:-**

Heard both side. Record perused. The Plaintiff's counsel submitted that the suit schedule properties are ancestral properties of one Kannammal. The plaintiff purchased the property from Kannammal and her 2 sons and constructed one bathroom, one latrine in the backyard. The defendants are unlawfully attempting to interfere over the suit properties without any right. Therefore the Counsel for plaintiff prays to decree the suit.

6. Counsel for the defendants submitted that the suit property belongs to Munusamy Reddy, who is the cousin of 1<sup>st</sup> defendant's father. The front portion measuring East West 25 feet North South 60 feet belonged to the father of 1<sup>st</sup> defendant. Plaintiff or his vendors have no right over the suit property. Injunction cannot be grant against the defendants who are the true owners. Hence the Counsel for defendants prays to dismiss the suit.

7. The Plaintiff in order to substantiate his case has testified himself as Pw1 and Ex.A1 to Ex.A6 were marked. Ex.A1 is the certified copy of SLR. In Ex.A1 the suit property stands in the name of Plaintiff's vendors Kannammal and two others. Ex.A2 is the registered sale deed dated 20.10.1993 executed by one Kannammal and 2 others in favour of Plaintiff. Ex.A3 and Ex.A4 are the legal notice issued by the plaintiff and postal acknowledgment cards. Ex.A6 is the certified copy of Encumbrance Certificate.

8. The Defendants in order to substantiate their case, the 2<sup>nd</sup> defendant has testified herself as Dw1 and Ex.B1 to Ex.B3 were marked. Ex.B1 is the registered sale deed executed by A.V. Balaji and 2 other in favour of Porkai Pandian. Ex.B2 is the certified copy of Encumbrance Certificate. Ex.B3 is the guideline value Certificate of the suit property. Though the 2<sup>nd</sup> defendant contended that the suit property belonged to her father-in-law Jaganatha Reddy who is the father of 1<sup>st</sup> defendant ancestrally, no documents was produced to prove the same. Dw1 she herself admitted the execution of sale deed in favour of plaintiff and construction of bathroom by the plaintiff in the suit property. Further the documents produced by the defendant is not belonged to suit property is also admitted by the Dw1 in her cross examination.

9. The defendant contended that the suit property is more than value as stated in the plaint. No document was produced to prove the value of the suit property at the time of filing of this suit. The defendant produced the guideline value for the year 2025, not for the year 2018 i.e., at the time of filing of this suit. On perusal of Ex.A1, Ex.A2 it is evident that the suit property originally belonged to Kannammal and two others and plaintiff purchase the suit property from the Kannammal through Ex.A2. Dw1 she herself admitted the possession and enjoyment of the plaintiff i.e., the construction of bathroom in the suit property. On perusal of Ex.A1, Ex.A2 and from the evidence of Dw1 the title and possession of the plaintiff in the suit property is proved by the plaintiff.

10. In view of above said discussions, since the plaintiff's title and possession over the suit properties is proved with sufficient oral and documentary evidence, this Court is of the considered view that the plaintiff is entitled to the relief of declaration and permanent injunction. Hence, the issues No.1 to 4 are decided in favour of plaintiff.

11 . **Issue No.5:-**

As the above issues No.1 to 4 are answered as in favour of the plaintiff this court is of opinion that the plaintiff is not entitled to any other additional or alternative remedy. On considering the facts and circumstances of the case, both the parties are directed to bear their own costs. Hence this issue is answered accordingly.

In the result, the suit is decreed by declaring the plaintiff's right, title and interest over the suit properties and by granting consequently permanent injunction against the defendants, their men, agents, servants from in any manner interfering with the plaintiff's peaceful possession and enjoyment of the suit property. In view of the facts and circumstances of the case, no cost is awarded.

Dictated to my Steno – Typist, typed by her directly, corrected and pronounced by me in open court, this the 26<sup>th</sup> day of March 2026.

District Munsif,  
Tiruttani.

**Plaintiff's side Witnesses:-**

Pw1 – Mr. Chinnarajan

Pw2 – Mr. Velu Naidu

**Plaintiff's side Exhibits:-**

1. Ex.A1 03.05.2018 The certified copy of SLR
2. Ex.A2 20.10.1993 The registered sale deed executed by one Kannammal and 2 others in favour of Plaintiff
3. Ex.A3 07.05.2018 The legal notice
4. Ex.A4 -- The Postal receipts(4) and acknowledgment cards (4)

5. Ex.A5 -- Rough sketch
6. Ex.A6 21.03.2018 The certified copy of Encumbrance Certificate

**Defendants' side Witness :-**

Dw1 – Mrs. Vanitha

**Defendants' side Exhibits :-**

1. Ex.B1 23.03.2011 The registered sale deed executed by A.V. Balaji and 2 other in favour of Porkai Pandian
2. Ex.B2 18.01.2018 The Encumbrance Certificate
3. Ex.B3 -- The Guide line value certificate

**Third party Exhibits:- Nil**

**The Court Witness & Exhibits:- Nil**

District Munsif,  
Tiruttani.