

In the Court of the District Munsif, Sathankulam.

Present. Thiru.M.Siva Rajesh, B.B.A.,L.L.B.,

District Munsif Sathankulam.

Dated:- This the 30th day of June 2026, Tuesday.

O.S.No.10/2023

(CNR.No.TNTT100000132023)

Lingakani (Age 46),

W/o.George Vincent,

Door No.5 Sathankulam Colony -2,

Sathankulam, Sathankulam Taluk,

Thoothukudi District.

... Plaintiff

/Vs/

1.S.Subramanian (Age 51),

S/o. Sadachram,

Door No.2/139A Main Road,

Ambalavanapuram, Avarikulam Panchayat,

Pazhavur Part II Village, Radhapuram Taluk,

Tirunelveli District.

2. Gopal Nadar (Age 65),

S/o. Pandi Nadar,

Door No. 17A Keela Ratha Veethi,

Sathankulam Town, Sathankulam Kasba,

Sathankulam Village, Sathankulam Taluk,

Thoothukudi District.

... Defendants

This suit coming before me on 22.06.2026 in the presence of Mr.J.Easter Kamal Advocate for the plaintiff, and Mr.V.Gopalakrishnan Advocate for the Defendants and on hearing both side, upon perusing case evidence and records and having stood over for consideration till this day, this court delivers the following:-

JUDGEMENT

Relief :-

The present suit has been filed by the plaintiff seeking a decree of permanent injunction restraining the defendants, their men, agents, or anyone claiming under them from in any manner damaging or destroying the northern boundary ridge and the Udai trees situated on the northern side of the suit schedule property belonging to the plaintiff, adjoining the Arumeni water channel, or from encroaching upon the suit schedule property and in any way interfering with the plaintiff's peaceful possession and enjoyment thereof, relief of costs, and other relief.

2. Case of the Plaintiff :-

2.1 The suit schedule property is an Ayan Punjai land originally belonged to Tmt. Thirunavukkarasu Ammal, wife of Vairavanatha Pillai, vide Sale Deed document no : 800/1990 dated 12.12.1990, registered on the file of the Sub-Registrar Office, Sathankulam. Subsequently, the said Tmt. Thirunavukkarasu Ammal, by a registered Will deed document no : 12/2000 dated 11.04.2000, bequeathed the suit schedule property in favour of her son, Radhakrishnan, which registered on the file of the Sub-Registrar Office, Kallidaikurichi.

2.2 The plaintiff further state that Tmt. Thirunavukkarasu Ammal died on 25.05.2007, and upon her demise, the registered Will bearing Document No.12/2000 came into effect. Pursuant thereto, her son Radhakrishnan, after receiving valid sale consideration from the plaintiff, sold the suit schedule property to the plaintiff vide Sale Deed document no : 783/2021 dated 14.06.2021 registered on the file of the Sub-Registrar Office, Sathankulam, and also delivered possession and enjoyment thereof to the plaintiff. It was stated that the plaintiff has cultivated approximately 1,000 banana plants therein. It was further stated that water is being supplied to the banana cultivation through an underground pipeline laid from a well situated in another property belonging to the plaintiff, and he has also been paying the land revenue in respect of the suit schedule property in Sathankulam Revenue Village.

2.3 The plaintiff further state that the Village Administrative Officer of Sathankulam Revenue Village has issued an Adangal Extract showing that banana cultivation is being carried on in the suit schedule property, and Patta No.4254 has been issued in the name of the plaintiff in respect of the suit schedule property by the revenue authorities of Sathankulam Revenue Village. It was further stated that in the remaining portion of the suit schedule property, after the area under banana cultivation, the plaintiff has put up an asbestos-sheet shed wherein he is rearing and maintaining cattle.

2.4 The plaintiff alleged that the 1st defendant, who has absolutely no manner of right, title, interest with the suit schedule property, claiming that he owns land situated on the northern side of the suit schedule property, has, with the active assistance of the 2nd defendant, been making persistent attempts from 20.01.2023 onwards to encroach upon the suit schedule property by destroying the boundary ridge and the Udai trees belonging to the plaintiff situated along the northern boundary of the suit schedule property adjacent to the Arumani Marukaal Odai on its northern side.

2.5 The plaintiff further state that he lodged a complaint against the defendants before the Sathankulam Police. However, the police refused to receive the complaint on the ground that the dispute was civil in nature. Therefore, the plaintiff has been constrained to institute the present suit before this Court.

3.Written statement of the defendant :-

3.1 The defendant denied the contention of the plaintiff.

3.2 The defendant state that immediately to the north of Survey No.335/2F1 lies Survey No.335/2E. It was stated that the said Survey No.335/2E originally belonged to the daughter of the 2nd defendant, vide registered Sale Deed dated 29.06.2022, conveyed both Survey Nos.335/2E and 335/2A1 in favour of the 1st defendant. It was alleged that since the 1st defendant had purchased Survey No.335/2E from the daughter of the 2nd defendant, the plaintiff, out of sheer jealousy, has instituted the present false suit. It was further alleged that the plaintiff has deliberately suppressed the fact that the 1st defendant had lawfully purchased Survey No.335/2E and has also concealed the existence of the land in Survey

No.335/2E situated to the north of Survey No.335/2F1. Instead, the plaintiff has intentionally furnished incorrect boundary descriptions and instituted the present suit. Hence, the suit is liable to be dismissed on the ground of suppression of material facts.

3.3 The defendants state that the 1st defendant is the owner of the property adjoining Survey No.335/2F1. However, the plaintiff has falsely portrayed the 1st defendant as though he is a complete stranger to Survey No.335/2F1. It was stated that the plaintiff has pleaded that his title has been denied by the defendants. Having alleged denial of title, the plaintiff ought to have sought the consequential relief of declaration of title. Instead, the plaintiff has merely sought the relief of permanent injunction. Therefore, the suit, filed without seeking the relief of declaration, is not maintainable in law. It was further stated that since the plaintiff has failed to seek the necessary declaratory relief, the suit is liable to be dismissed on that ground alone.

3.4 The defendant further stated that the plaintiff has further alleged in the plaint that the defendants are attempting to destroy the boundary ridge and the *Udai* tree fence situated on the northern boundary of the suit schedule property and to encroach upon the same. It was stated that in view of such allegations regarding the location and identity of the boundary, the plaintiff ought to have instituted a suit for demarcation for determination of the boundary. Instead, the plaintiff has merely sought a decree of permanent injunction. Consequently, the suit, as framed, is itself not maintainable.

3.5 The defendants further state that the 1st defendant did not purchase Survey No.335/2E from the 2nd defendant, but from the daughter of the 2nd defendant. Therefore, the plaintiff has failed to implead the necessary party to the suit. It was further stated that likewise, the 2nd defendant has been unnecessarily and wrongly impleaded as a party. Hence, the suit is bad for non-joinder of a necessary party as well as misjoinder of parties.

3.6 The defendants state that the plaintiff's third title document does not contain any boundary descriptions. It was stated that unless the plaintiff identifies the suit property on the ground through the appointment of an Advocate Commissioner, the plaintiff is not entitled to seek the equitable relief of permanent injunction based upon erroneous boundary

descriptions. Therefore, the suit is also liable to be dismissed since the suit property has not been clearly described.

3.7 The defendants stated that the plaintiff has pleaded that water is being supplied to Survey No.335/2F1 from a well situated in another property allegedly belonging to him. However, the plaintiff has not disclosed in the plaint as to under which document, from whom, or on what basis he acquired the said adjoining property, nor has he disclosed its survey number. It was stated that the plaintiff has also failed to produce the title document relating to the said adjoining property along with the plaint, without offering any explanation. It was further stated that the plaintiff has further failed to state whether that document contains any boundary descriptions.

3.8 The defendant state that had the plaintiff produced the said document, the true state of affairs would have become apparent before this Court, and it is for this reason that the plaintiff has deliberately withheld the said document. Accordingly, this Court is entitled to draw an adverse inference against the plaintiff under Section 114(g) of the Indian Evidence Act.

3.9 The defendant further state that a person seeking the equitable relief of permanent injunction must approach the Court with clean hands. It was stated that although the plaintiff has alleged that he lodged a complaint before the police, he has not filed a copy of the alleged complaint along with the plaint. If, as alleged, the police had refused to receive the complaint, the plaintiff ought to have stated in the plaint what further legal steps were taken thereafter. No such particulars have been pleaded. Therefore, it is evident that the present suit has been instituted without any cause of action.

3.10 Considering the aforesaid submission the defendants prays to dismiss the suit with costs.

4. Issues:-

1. Whether the plaintiff is in the Lawfull possession and enjoyment over the suit schedule property?
2. Whether the plaintiff is entitled for the relief of Permanent injunction as prayed for?

3. To what other such relief?

5. To claim the relief, Plaintiff examined himself as P.W. 1; Sub Registrar B.S Kumar was examined as P.W. 2; Sub Inspector, Sathankulam Mr. Selvaraj was examined as P.W. 3; Mr. Naveen Prabhu was examined as P.W. 4, and Ex. A1 to Ex. A16; Ex. X1 to Ex. X8 marked. On other hand, 2nd Defendant was examined as D.W. 1, and Ex. B1 to Ex. B2 marked

6. Arguments of Learned counsel for the Plaintiff :-

6.1 The Learned counsel for the Plaintiff reiterated the facts in the plaint, and relied on the cross examination of the plaintiff.

7. Arguments of Learned counsel for the Defendant :-

7.1 The Learned counsel for the defendant filed separate argument notes. The Learned counsel for the defendant placed his reliance on

(i) Anathula Sudhakar Vs. P. Buchi Reddy (D) by Lrs & Ors dated 25.03.2008
(AIR 2008 SC 2033)

(ii) P.N. Prema Gangadharan Nair Vs Kottara Balan Nair dated 31.08.2017
{S.A. No : 684 of 1998 (F) on the file of The Hon'ble Kerala High Court }

8. Points for determination :-

8.1 Issue no : 1 :-

(i) Whether the plaintiff is in the Lawfull possession and enjoyment over the suit schedule property?

8.1.1 In the present case, the plaintiff claims possession on the strength of a registered chain of title. Ex.A1 evidences that the suit property was originally purchased by Tmt. Thirunavukkarasu Ammal under Sale Deed dated 12.12.1990. It is the plaintiff's further case that the said owner executed a registered Will in favour of her son Radhakrishnan, which has been produced through the official witness and marked as Ex.X1. Thereafter, Radhakrishnan conveyed the suit property to the plaintiff vide registered Sale Deed dated 14.06.2021 marked as Ex.A2. Though the defendants attempted to question the

genuineness of the Will, except making a bald allegation that the Will is fabricated, no independent proceedings have been initiated challenging the said Will, nor has any acceptable evidence been adduced to establish such allegation. A mere denial, unsupported by cogent evidence, cannot by itself discredit the plaintiff's chain of title.

8.1.2 Apart from the title documents, the plaintiff has also produced Ex.A3 Adangal, Ex.A4 Patta standing in her name, and Ex.A5 land revenue records. Though it is well settled that revenue records are not documents of title, they constitute relevant evidence regarding possession. These records consistently stand in the name of the plaintiff and lend substantial corroboration to her claim that she has been in possession and enjoyment of the suit property after her purchase.

8.1.3 It has to be noted that, during her lengthy cross-examination, several questions were put to her regarding the title documents, the Will, the boundary descriptions, and the dismissal of the Advocate Commissioner's application, nothing substantial has been elicited to discredit her assertion of actual possession. No dispute that PW1 admitted that there exists a dispute regarding the northern boundary and that she had not sought the relief of declaration. The extract of P.W. 1 evidence was provided below :-

நான் தாக்கல் செய்த பிராதி, எனக்கும் பிரதிவாதிக்கும் தபசில் சொத்தை பொறுத்து எல்கைமாலில் பிரச்சனை உள்ளது என்றால் சரிதான். நான் தாக்கல் செய்த பிராதி, எனக்கும் பிரதிவாதிக்கும் தபசில் சொத்தை பொறுத்து யார் உரிமையாளர் என்ற பிரச்சனை உள்ளது என்றால் சரிதான், மேற்படி இடம் எனக்கு பாத்தியப்பட்டது என்பதை இந்நீதிமன்றம் அங்கீகரிக்க நான் விளம்புகை பரிகாரம் கோரியுள்ளேனா என்றால் இல்லை.

8.1.4 However, such admissions pertain to the legal maintainability of the relief claimed and do not, by themselves, amount to an admission that she was not in possession of the suit property.

8.1.5 Further, the evidence of P.W. 2, the Sub-Registrar, is only formal in nature and proves the existence of the registered Will maintained in the registration records. Likewise,

P.W. 3, the police official, has merely produced the police records relating to the complaints lodged by the parties. Though neither of these witnesses directly establishes possession, their evidence does not in any manner impeach the plaintiff's case.

8.1.6 The evidence of P.W. 4, the Assistant Engineer of the Water Resources Department, is of considerable relevance. He has deposed that Arumuganeri Kulam exists on the western side of Survey No.335/2F1 and that a marukal odai runs on the northern side through Survey No.335/2E. The extract of P.W. 4 evidence was provided below :-

புல எண்.335/2F1ன் மேற்குப் பக்கத்தில் குளம் உள்ளது. புல எண்.335/2F1ன் வடக்குப் பக்கம் மறுகால்ஓடை உள்ளது. அது புல எண்.335/2E வழியாக செல்கிறது.

8.1.7 During cross-examination, P.W. 4 admitted that he could not specify the precise width or exact alignment of the channel within Survey No.335/2E and that his department maintains no records regarding the extent of the odai within the patta land. The extract of P.W. 4 evidence was provided below :-

தனியார் பட்டா நிலம் வழியாக செல்லும் மறுகால்ஓடையின் அகலங்கள் துலங்குமா என்றால் துலங்காது, அது சம்பந்தமாக எந்தவித ஆவணமும் கிடையாது. புலஎண்.335/2Eல் எந்த இடத்தில் மேற்படி மறுகால்ஓடை செல்கிறது என்று குறிப்பிட்டு கூறமுடியுமா என்றால் குறிப்பிட்டு கூறமுடியாது. ஆவணங்கள் எதுவும் கிடையாது.

8.1.8 These admissions undoubtedly limit the evidentiary value of his testimony concerning the exact location of the northern boundary.

8.1.9 No dispute that the defendants have strongly contended that the northern boundary has been wrongly described and that the plaintiff ought to have sought declaration and fixation of boundary. Those contentions undoubtedly require consideration while deciding the maintainability of the present suit and the entitlement to the ultimate relief of injunction. However, those legal objections cannot be conflated with the factual issue

regarding possession. Even assuming that the exact location of the northern boundary is disputed, the evidence on record clearly establishes that the plaintiff is in possession of Survey No.335/2F1, having purchased the same under Ex.A2 and having continuously enjoyed the property as reflected in the revenue records and cultivation particulars.

8.1.10 It has to be noted that the dispute between the parties essentially revolves around the exact location of the common boundary and the alleged acts of interference rather than the plaintiff's actual physical possession of her survey field.

8.1.11 Therefore, considering the evidence in total, this Court is satisfied that the plaintiff has succeeded in proving that he was in possession and enjoyment of the suit schedule property comprised in Survey No.335/2F1 as on the date of institution of the suit.

Issue no : 1 is answered in favour of the plaintiff.

9. Issue no : 2 :-

(ii) Whether the plaintiff is entitled for the relief of Permanent injunction as prayed for?

9.1 The plaintiff seeks a decree of permanent injunction restraining the defendants from damaging the northern boundary ridge and the Udai trees situated on the northern side of the suit schedule property adjoining the Arumeni marukal odai, from encroaching upon the suit schedule property and from interfering with the plaintiff's peaceful possession and enjoyment thereof.

9.2 As stated supra, this Court has held under Issue No.1 that the plaintiff has succeeded in establishing possession and enjoyment over Survey No.335/2F1 as on the date of institution of the suit. Nevertheless, proof of possession alone does not automatically entitle a plaintiff to a decree of permanent injunction. The grant of a perpetual injunction is an equitable and discretionary relief governed not only by proof of possession but also by the certainty of the subject matter sought to be protected and the enforceability of the decree proposed to be granted.

9.3 At the outset, it is necessary to observe that the controversy in the present suit is not a mere complaint of interference with an admitted boundary. From the very inception,

the defendants have consistently pleaded that the plaintiff has furnished an incorrect northern boundary, that Survey No.335/2E lies immediately to the north of Survey No.335/2F1, that the existence and location of the alleged marukal odai have been wrongly projected, and that the plaintiff has deliberately omitted the true identity of the adjoining survey field. Thus, the controversy is not merely whether the defendants attempted to interfere with the plaintiff's possession, but whether the northern boundary sought to be protected is capable of being identified with legal certainty.

9.4 The oral evidence adduced during trial also demonstrates that the dispute is substantially one relating to the identity of the northern boundary. P.W. 1 admitted during cross-examination that there exists a dispute between the parties regarding the boundary as well as regarding ownership of the disputed portion. The extract of P.W. 1 evidence was provided below :-

நான் தாக்கல் செய்த பிராதி, எனக்கும் பிரதிவாதிக்கும் தபசில் சொத்தை பொறுத்து எல்கைமாலில் பிரச்சனை உள்ளது என்றால் சரிதான். நான் தாக்கல் செய்த பிராதி, எனக்கும் பிரதிவாதிக்கும் தபசில் சொத்தை பொறுத்து யார் உரிமையாளர் என்ற பிரச்சனை உள்ளது என்றால் சரிதான், மேற்படி இடம் எனக்கு பாத்தியப்பட்டது என்பதை இந்நீதிமன்றம் அங்கீகரிக்க நான் விளம்புகை பரிகாரம் கோரியுள்ளேனா என்றால் இல்லை.

9.5 It was further admitted that though she had filed an application seeking appointment of an Advocate Commissioner for local inspection, the said application was dismissed and she did not pursue any further proceedings challenging the said order. She also admitted that no Field Measurement Book relating to Survey No.335/2F1 has been produced. The extract of P.W. 1 evidence was provided below :-

நான் இவ்வழக்கில் ஆணையர் நியமன மனு தாக்கல் செய்திருந்தேனா என்றால் செய்திருந்தேன். மேற்படி மனு இந்நீதிமன்றத்தால் தள்ளுபடி செய்யப்பட்டுள்ளது என்றால் சரிதான். மேற்படி உத்தரவிற்கு நான்

மேல்முறையீடு செய்துள்ளேனா என்றால் இல்லை. புல எண்.335க்கான புல வரைபடத்தை நான் தாக்கல் செய்யவில்லை என்றால் சரிதான்.

9.6 Though these admissions do not discredit her possession over Survey No.335/2F1, they unmistakably establish that the plaintiff was conscious of the necessity of proper identification of the disputed boundary.

9.7 It has to be noted P.W. 4, in his cross-examination, he fairly admitted that he cannot specify the exact point at which the odai traverses Survey No.335/2E; that no departmental records indicate the width of the odai within the patta land; that he cannot state how much extent of Survey No.335/2E lies to the north or south of the odai; and that he cannot identify the exact extent of Survey No.335/2E lying between the odai and Survey No.335/2F1. The extract of P.W. 4 evidence was provided below :-

தனியார் பட்டா நிலம் வழியாக செல்லும் மறுகால்வையின் அகலங்கள் துலங்குமா என்றால் துலங்காது, அது சம்பந்தமாக எந்தவித ஆவணமும் கிடையாது. புலஎண்.335/2Eல் எந்த இடத்தில் மேற்படி மறுகால்வையை செல்கிறது என்று குறிப்பிட்டு கூறமுடியுமா என்றால் குறிப்பிட்டு கூறமுடியாது. ஆவணங்கள் எதுவும் கிடையாது. பட்டா எண்ணில் செல்லும் மறுகால்வையுக்கு வடக்கு புறம் புலஎண்.335/2Eல் எவ்வளவு இடங்கள் உள்ளது என்றும், மறுகால்வையுக்கு தென்புறம் புலஎண்.335/2Eல் எவ்வளவு இடங்கள் உள்ளது என்றும் என்னால் குறிப்பிட்டு கூறமுடியாது என்றால் சரிதான். அதைப்போன்று மறுகால்வையுக்கும் புலஎண்.335/2F1க்கும் இடையில் எவ்வளவு இடங்கள் புலஎண்.335/2Eல் உள்ளது என்று என்னால் குறிப்பிட்டு கூறமுடியாது என்றால் சரிதான்.

9.8 Thus, while the existence of the watercourse is established, the precise location of the northern boundary sought to be protected remains uncertain.

9.9 The Hon'ble Supreme Court in **Anathula Sudhakar v. P. Buchi Reddy (Dead) by LRs and Others, (2008) 4 SCC 594**, hold that where there is merely interference with lawful possession, a suit for injunction simpliciter is maintainable. However, where a genuine cloud is raised over the plaintiff's title or where complicated questions relating to title or identity of the property arise, the parties should be relegated to a comprehensive suit for declaration instead of deciding such issues in a bare suit for injunction. The Hon'ble Supreme Court further observed that findings on title ordinarily ought not to be rendered in a suit for injunction unless such adjudication becomes unavoidable.

9.10 The principles laid down in the aforesaid decisions do not mean that every denial of title or every boundary dispute necessarily renders a suit for injunction not maintainable. At the same time, they equally recognise that the Court cannot grant an injunction where the very subject matter proposed to be protected remains uncertain or incapable of precise identification. The real test is whether the Court can pass an effective, definite and executable decree on the basis of the evidence available.

9.11 In the present case, the plaintiff does not merely seek protection of Survey No.335/2F1 in general. The relief specifically sought is protection of the northern boundary ridge and the Udai trees situated adjoining the Arumeni marukal odai. Unless this Court first determines where exactly that northern boundary lies, any decree restraining the defendants from interfering with the said boundary would remain uncertain and inexecutable. Such an exercise cannot subsequently be undertaken by the Executing Court, for it is a settled principle that an Executing Court cannot travel beyond the decree or determine for the first time matters which were never adjudicated by the trial Court.

9.12 The dispute substantially concerns the identity and location of the very boundary sought to be protected. Such controversy cannot be effectively resolved in the present suit for bare injunction without seeking appropriate declaratory relief and consequential fixation of the disputed boundary. Any decree granted in the absence of such adjudication would inevitably lead to further litigation at the stage of execution, thereby defeating the very purpose of granting equitable relief.

Accordingly, though this Court has held that the plaintiff was in possession of Survey No.335/2F1 as on the date of institution of the suit, the plaintiff has failed to establish her entitlement to the equitable relief of permanent injunction in the absence of a clear adjudication regarding the identity and location of the disputed northern boundary. Consequently, the relief sought cannot be granted in the present form of the suit.

Accordingly, Issue no : 2 is answered against the plaintiff.

10. Issue no : 3 :-

(iii) To what other such relief?

10.1 In light of the facts of the case, this Court is of the view that no further or alternative relief need be granted.

As a result, suit was dismissed. No order as to costs.

Dictated to the Steno – Typist, typed by her, corrected, and pronounced by me in open court on this the 30th day of June 2026

Sd/- Thiru.M.Siva Rajesh,
District Munsif
Sathankulam

Plaintiff side witness:-

1. P.W. 1- Lingakani.
2. P.W. 2 – Kumar.
3. P.W. 3 – Selvaraj.
4. P.W. 4 - Naveen Prabhu

Plaintiff side documents:-

1. Ex.A1 – Sale deed document no : 800/1990 dated 12.12.1990 on the file of Sathankulam Sub Registrar Office (Certified Web downloaded Copy)
2. Ex.A2 – Sale deed document no : 783/2021 dated 14.06.2021 on the file of Sathankulam Sub Registrar Office (Certified Web downloaded Copy)
3. Ex.A3 – Adangal register in respect to Survey no : 335/2F1 (True Copy)
4. Ex.A4 – Patta no : 4254 in respect to suit scheduled property (Web downloaded Copy)
5. Ex.A5 – Property tax in respect to suit schedule property (Original)
- 6.Ex.A6 – Current photographs depicting the northern boundary of the suit schedule

property and the banana cultivation therein, together with a Pen Drive containing the said electronic records and the certificate issued under Section 65B of the Indian Evidence Act (Original).

7.Ex.A7- Complaint petition dated 30.01.2023 submitted by the plaintiff to the Superintendent of Police, Thoothukudi District, by Registered Post, together with the postal receipt (Office Copy).

8.Ex.A8 – Postal Acknowledgement Card evidencing receipt of the aforesaid complaint petition on 01.02.2023 (Original).

9. Ex.A9 – Complaint petition dated 30.01.2023 submitted by the plaintiff to the District Collector, Thoothukudi District, by Registered Post, together with the postal receipt (Office Copy).

10. Ex.A10 – Postal Acknowledgement Card evidencing receipt of the aforesaid complaint petition on 01.02.2023 (Original).

11. Ex.A11 – Police Notice dated 28.01.2023 issued by the Sathankulam Police to the plaintiff's husband, Vincent (Original).

12. Ex.A12 – Ecumbrance certificate (Computerized downloaded Copy)

13. Ex.A13 - Registered Partition Deed bearing Document No.345/1994 dated 23.02.1994, on the file of the Sub-Registrar Office, Sathankulam. (Certified Copy)

14. Ex.A14 – Patta in respect to survey no : 335/2E (Web downloaded Copy).

15. Ex.A15 - Field Measurement Book in respect to Survey no : 335/2E (Web downloaded Copy)

16. Ex.A16 – Sale Agreement (Original)

Defendant side witness :-

D.W. 1 – Gopal.

Defendant side documents:-

1. Ex.B1- Sale deed document no : 1387/2022 dated 29.06.2022 on the file of Sathankulam Sub Registrar Office (Certified Web downloaded Copy)

2. Ex.B2 – Field Measurement Book in respect to Survey no : 335, Sathankulam Village. (Web downloaded Copy)

Plaintiff side PW2 witness documents :-

Ex.X1 – Registered Will bearing Document No.12/2000 executed by Tmt. Thirunavukkarasu Ammal, wife of Vairavanatha Pillai, bequeathing the property belonging to her in favour of her son, Radhakrishnan. (Certified Copy)

Plaintiff side PW3 witness documents :-

Ex.X2 – Complaint Petition dated 24.01.2023 submitted by Gopal before the Sathankulam Police Station. (Certified Copy)

Ex.X3 – Surveyor's Report relating to the survey conducted in respect of Survey No.335/2E, Sathankulam Village. (Certified Copy)

Ex.X4 – Petition Receipt No.100/2023 issued on the complaint petition submitted by Gopal. (Certified Copy)

Ex.X5 – Police Notice issued to Vincent pursuant to Petition Receipt No.100/2023. (Certified Copy)

Ex.X6 – Statement given by Lingakani upon her appearance in connection with Petition Receipt No.100/2023. (Certified Copy)

Ex.X7 – Enquiry Report prepared based on the aforesaid complaint petition. (Certified Copy)

Plaintiff side PW4 witness documents :-

Ex.X8 – Report annexed with the map depicting the course of the Marukal Odai in relation to the relevant Survey Numbers.

Sd/-Thiru.M.Siva Rajesh,
District Munsif
Sathankulam

District Munsif Court,
Sathankulam,
O.S.No.10/2023
Fair/Draft Judgment
Dated : 30.06.2026