

**THE COURT OF DISTRICT MUNSIF, GUDIYATTAM,**  
**VELLORE DISTRICT.**

**Present: Tr.K.Karthick Asath, B.A.,B.L.,(Hons),LLM.,**  
District Munsif,  
Gudiyattam.

Friday, this the 13<sup>th</sup> day of March 2026

**O.S.No.34/2025**  
**(CNR.No.TNVL10-000041-2025)**

P. Baby Shalini .... Plaintiff

// Versus //

1. K. Aseervadamani  
2. Murugan

.... Defendants

This suit came up before this court for final hearing on 05.03.2026 in the presence of Thiru.M.Rajendran, Advocate for the plaintiff and the defendants set exparte on 17.09.2025 and upon perusing the case records and having stood over for consideration till this day, this court delivered the following.

**JUDGMENT**

Suit filed Under Order 7, Rule 1 and Section 26 of Code of Civil Procedure to granting permanent injunction against the defendants their men, agents and representatives restraining them from interfering with the plaintiff's peaceful possession and enjoyment of the suit schedule mentioned property and for cost.

**1. The Brief Averments of the plaint :-**

The plaintiff submit that she purchased the suit schedule property from one K.Sivan by way of sale deed dated 06.01.2022. The said K.Sivan

obtained the suit property by filing specific performance suit OS.119/2009 against the 1<sup>st</sup> defendant and obtained decree on 08.09.2009 and subsequently filed EP.75/2010 for executing the sale deed. On that the sale deed accordingly executed by this court on 14.07.2010 on behalf of the 1<sup>st</sup> defendant and handed over delivery on 18.09.2010. After purchasing the suit property in the year 2022 the plaintiff is in possession and enjoyment of the same but the defendants without any right or interest over the suit property on 10.02.2025 they tried to interfere with the plaintiffs peaceful possession and enjoyment. Hence the plaintiff filed the suit for permanent injunction against the defendants.

2. The defendants set exparte on 17.09.2025 for non filing of written statement.

### **3. Evidence :-**

On plaintiff side the plaintiff Baby Shalini examined as PW1 through her Ex.A1 to Ex.A7 marked. On defendants side no witness is examined and no document is marked.

### **4. Plaintiff side Argument:-**

The plaintiff purchased the suit property from one K.Sivan on 06.01.2022 by way of registered sale deed. From that day the plaintiff is in possession and enjoyment of the suit property. The defendants are third parties to the suit property and they tried to interfere with the plaintiffs peaceful possession and enjoyment on 10.02.2025. Hence the plaintiff filed the present suit for permanent injunction. The plaintiff examined

herself as PW1 and marked Ex.A1 to Ex.A7. By marking those documents the title and possession over the suit property is proved by the plaintiff. The defendants failed to denied the plaint averments hence it is pleased to be decreed the suit.

## **5. Discussion:-**

This court after considering the argument of plaintiff side and perusing the pertinent records this court proceed to delineate the findings based on the following discussion,

**5.1.** The case of the plaintiff is that she purchased the suit schedule property from one K.Sivan by way of sale deed dated 06.01.2022. The said K.Sivan obtained the suit property by filing specific performance suit OS.119/2009 against the 1<sup>st</sup> defendant and obtained decree on 08.09.2009 and subsequently filed EP.75/2010 for execution of sale deed. On that the sale deed accordingly executed by this court on 14.07.2010 on behalf of the 1<sup>st</sup> defendant and handed over delivery on 18.09.2010. After purchasing the suit property in the year 2022 the plaintiff is in possession and enjoyment of the same but the defendants without any right or interest over the suit property on 10.02.2025 they tried to interfere with the plaintiffs peaceful possession and enjoyment. On that the plaintiff filed the present suit for permanent injunction against the defendants.

**5.2.** For proving the plaintiff case she examined herself as PW1 and marked Ex.A1 to Ex.A7. On perusing the Ex.A3 it is reveal that the said K.Sivan filed OS.No.119/2009 and obtained decree against the

1<sup>st</sup> defendant. Based on the decree he filed EP.75/2010 and took delivery of possession on 18.09.2010. He subsequently sold the suit property infavour of the plaintiff on 06.01.2022 by way of registered sale deed vide Doc.No.92/2022 (Ex.A1). On that the purchase of suit property by the plaintiff from K.Sivan is proved by way of Ex.A1 and Ex.A3.

**5.3.** It is further submit that while the plaintiff claiming permanent injunction against the defendant she is duty bound to prove his possession over the suit property. On perusing the Ex.A5 to Ex.A7 the plaintiff proved the possession. In that the Ex.A5 is the kist receipt for the pasali year 1434 for the patta No.1547. The Ex.A6 is the patta infavour of the plaintiff for the suit S.No.177/3A2. On perusal suit filed for S.No.177/3A, in that with regard to the extent of 1.05 acre purchased by the plaintiff, hence the suit property is sub divided as 177/3A2 and separate patta given infavour of the plaintiff. The Ex.A7 is the adangal copy for the suit property. On perusing the Ex.A5 to Ex.A7 the plaintiff proved his possession over the suit property.

**5.4.** It is further submit that the plaintiff filed the suit against the defendants 1 and 2 for permanent injunction but both the defendants appeared and failed to file written statement on 17.09.2025 on that they set exparte by this court. The defendants are failed to denied the plaint averments. The plaintiff proved his title by way of Ex.A1 and proved her possession over the suit schedule mentioned property by way of Ex.A5 to Ex.A7. But the defendants failed to denied the pleadings and their interference of plaintiffs peaceful possession and enjoyment on 10.02.2025.

The plaintiff side proved his case by adducing evidence and documents. It is further submit that while the defendants are having land on the eastern side of suit property this court thinks it is necessary to grant permanent injunction infavour of the plaintiff. On considering the above discussion this court inclined to decreed the suit.

**6. Result :-**

As a result, this suit is decreed with cost.

Dictated to Steno typist directly, typed by him in the desktop, corrected and pronounced by me in the open Court on this the 13<sup>th</sup> day of March 2026.

Sd/- K.Karthick Asath,  
**District Munsif,**  
**Gudiyattam.**

**Plaintiff side Witness:-**

PW1                      Baby Shalini

**Plaintiff side Exhibits :-**

Ex.A1	06.01.2022	Sale deed infavour of plaintiff
Ex.A2	14.07.2010	Sale deed infavour of K.Sivam
Ex.A3	-	Certified copy of Possession receipt EP.75/2010 in OS.119/2009
Ex.A4	17.03.2004	Original Gift settlement infavour of Aseervadam Mani by her mother Kundhiammal

- Ex.A5 - Kist receipt for Pasli 1434
- Ex.A6 - Online Chitta copy in the name of Plaintiff P.Baby Shalini
- Ex.A7 - Adangal Extract given by VAO of Modikuppam Village.

**Defendants side witnesses:-** Nil

**Defendants side Exhibits :-** Nil

Sd/- K.Karthick Asath,  
**District Munsif,  
Gudiyattam.**