

IN THE COURT OF DISTRICT MUNSIF, KATPADI, VELLORE DISTRICT
PRESENT: TMT. K.INBARANI, B.A.,B.L.,
(J.O.Code - TN02350)
DISTRICT MUNSIF, KATPADI

Monday, the 20th Day of July – 2026

O.S.No. 91 of 2016
(CNR.No.TNVL23-000175-2016)

1. Rathinammal
2. Govindarajan
3. Chitra

.....Plaintiffs

-Vs-

1. Lakshmi
2. Valli
3. Ambiga
4. Rajaguru
5. Sudha
6. Lakshmi @ Sree Lakshmi
7. Minor Prasath
8. Minor Sarvesh
9. Govinda Chetty
- 10.Sree Raman
- 11.The District Collector
Vellore District
- 12.The District Revenue Officer
Vellore District
13. The Village Administrative Officer
Ponnai Village, Katpadi Taluk
Vellore District.

.....Defendants

This Suit has come up today before this Court for Judgment, and in this case, the Plaintiffs have appeared through their Advocate Counsel Thiru.V. Thukkaram, and the Defendants were called absent and set exparte. Upon hearing Plaintiffs side argument, and upon perusing the entire case records and evidence, and having stood over for consideration till today, this Court delivers the following:-

JUDGMENT

The Suit is filed by the Plaintiffs for declaration to declare the plaintiffs title, interest rights over the suit properties, and possession and declare the sale deed dated.06.05.2013 executed by the defendants 1 to 8 in favour of 9th defendant as null and void, and to declare the sale deed dated 06.05.2013 executed by the defendants 1 to 8 in favour of 10th defendant as null and void and for permanent injunction not to alienate the suit properties.

1. **The concise of the Plaint averments is as follows:-**

1.1 The plaintiffs states that, the plaintiffs aver that the suit schedule properties originally belonged to late Chokkalingam Nattar, who acquired the same under registered sale deeds dated 05.11.1915, 12.08.1964 and 20.11.1969. From the date of purchase, Chokkalingam Nattar was in absolute possession and enjoyment of the properties. After his demise, the properties devolved upon his legal heirs. The plaintiffs contend that the original title deeds and other supporting records establish the lawful title of their predecessor-in-interest over the suit schedule properties.

1.2 The plaintiffs further aver that Chokkalingam Nattar had two sons and three daughters. During his lifetime, he made adequate arrangements in favour of his daughters, while Arumugam Nattar received separate house and shop properties situated at Chittoor. Thereafter, the parents of defendants 1 to 8 and the other legal heirs executed a registered Akku Release Deed dated 12.11.1990 in favour of Parasurama Nattar after receiving a sum of Rs.20,000/- towards their share, thereby relinquishing all their rights in the suit schedule properties. From that date onwards, the plaintiffs and their predecessor continued in peaceful possession and enjoyment of the properties.

1.3 The plaintiffs state that despite their lawful title and possession, defendants 1 to 8 began interfering with their peaceful enjoyment. The plaintiffs issued legal notice asserting their title and also approached the Village Administrative Officer, Tahsildar and District Collector seeking transfer of patta and other revenue records in their favour. However, no effective action was taken by the revenue authorities, allegedly due to the political influence exercised by the defendants, thereby compelling the plaintiffs to seek legal remedy.

1.4 It is the specific case of the plaintiffs that defendants 1 to 8, without possessing any manner of right, title or interest over the suit properties, fraudulently executed two registered sale deeds dated 06.05.2013 bearing Document Nos.1869/2013 and 1870/2013 in favour of defendants 9 and 10. According to the plaintiffs, the said sale deeds are sham, nominal, illegal and not binding upon them. The plaintiffs further

contend that the subsequent mutation of patta in favour of the defendants on the strength of the said sale deeds is also illegal, void and incapable of conferring any title upon the defendants.

1.5 The plaintiffs further aver that they came to know about the fraudulent sale deeds only on 17.12.2015, whereafter they approached the police and other authorities, but no effective action was taken. Instead, the defendants allegedly threatened the plaintiffs with dire consequences if they asserted their rights over the properties. Hence, the plaintiffs have instituted the present suit seeking declaration of their title, recovery of possession, declaration that the sale deeds dated 06.05.2013 are null and void, permanent injunction restraining the defendants from alienating or interfering with the suit schedule properties, and for costs.

2. In order to prove the Plaintiffs case, the 2nd Plaintiff was examined himself as P.W-1 by way of filing Proof Affidavit, and Ex.A-1 to Ex.A-18 were marked through him and the defendants were set exparte.

3. The Learned Advocate appeared on behalf of the Plaintiffs argued that the plaintiffs contended that the plaintiffs have established their title through the registered sale deeds marked as Ex.A1 to Ex.A3 and the registered Akku Release Deed dated 12.11.1990 marked as Ex.A4. It was further argued that the executants of the Release Deed had relinquished all their rights after receiving consideration and, therefore, defendants 1 to 8 had no subsisting title to execute the sale deeds dated 06.05.2013 in

favour of defendants 9 and 10. It was also submitted that the impugned sale deeds are sham, nominal and void, and that the subsequent patta obtained on the strength of those sale deeds does not confer any title upon the defendants. The plaintiffs relied upon Ex.A5 to Ex.A18 to establish continuous assertion of title and possession. Hence, it was prayed that the suit be decreed as prayed for with costs.

4. Point for Consideration:-

- a) Whether this petition is entitled to be allowed or not?

5. Answering to the Point:-

5.1 The plaintiffs have instituted the present suit seeking declaration of their title over the suit schedule properties, recovery of possession, declaration that the sale deeds dated 06.05.2013 registered as Document Nos.1869/2013 and 1870/2013 are null and void and for consequential permanent injunction. The evidence of P.W.1 and the documents marked as Ex.A1 to Ex.A18 have been carefully analysed to ascertain whether the plaintiffs have established a valid chain of title and whether the defendants have any legally sustainable claim over the suit properties.

5.2 Ex.A1, Ex.A2 and Ex.A3 are the registered sale deeds dated 05.11.1915, 12.08.1964 and 20.11.1969. These documents disclose that the suit schedule properties were acquired by late Chokkalingam Nattar under valid registered conveyances. P.W.1 has clearly deposed that after such purchase Chokkalingam Nattar was in absolute possession and enjoyment of the suit properties till his lifetime. The defendants have not

disputed the execution of the said documents nor have they produced any documentary evidence to show that Chokkalingam Nattar had lost his title at any point of time. The registered sale deeds being ancient documents carry considerable evidentiary value and there is absolutely no material to discard the same.

5.3 P.W.1 has further deposed that Chokkalingam Nattar had two sons and three daughters and that during his lifetime suitable arrangements were made among all the family members. It is the specific case of the plaintiffs that Arumugam Nattar was allotted separate house and shop properties situated at Chittoor and thereafter the remaining legal heirs voluntarily relinquished their rights over the suit schedule properties in favour of Parasurama Nattar. The said version is fully corroborated by Ex.A4, the registered Akku Release Deed dated 12.11.1990. A careful reading of the recitals in Ex.A4 reveals that all the executants accepted a sum of Rs.20,000/- towards the value of their respective shares and consciously relinquished every right, title and interest over the suit properties in favour of Parasurama Nattar. The document further records that neither they nor their legal heirs would make any future claim over the properties. Therefore, Ex.A4 constitutes a complete relinquishment of rights and confers exclusive rights upon Parasurama Nattar.

5.4 Significantly, the defendants have neither challenged Ex.A4 before any competent Court nor sought cancellation of the said registered release deed. No acceptable evidence has been let in to prove that the document was brought into

existence by fraud, coercion, undue influence or misrepresentation. A registered document cannot be ignored merely on the basis of oral denial. In the absence of any legal challenge to Ex.A4, this Court is bound to attach due evidentiary value to the registered release deed. Consequently, once the executants relinquished their rights under Ex.A4, neither they nor the persons claiming through them could legally assert any subsisting title over the suit schedule properties. Therefore, the very foundation of the defendants' subsequent claim stands considerably weakened.

5.5 The plaintiffs have also produced Ex.A5 and Ex.A6, namely tax receipts and registration fee receipts, to establish their continuous assertion of ownership over the suit properties. Though payment of tax by itself does not confer title, such documents are relevant pieces of corroborative evidence when read along with valid title deeds. Ex.A7 further shows that the plaintiffs had submitted petitions before the Village Administrative Officer, Tahsildar and District Collector seeking transfer of patta in their favour. These representations clearly indicate that the plaintiffs had been continuously asserting their ownership even prior to the institution of the suit. Therefore, the conduct of the plaintiffs appears to be natural and consistent with their claim of lawful ownership.

5.6 Ex.A9, Ex.A10 and Ex.A12, namely the death certificates of Chokkalingam Nattar and Parasurama Nattar together with the legal heir certificate, clearly establish the devolution of the estate upon the plaintiffs. P.W.1 has satisfactorily explained the

genealogy and succession to the properties after the death of the original owner. The defendants have not produced any contrary evidence disputing the relationship between the parties or the legal heirship pleaded by the plaintiffs. Consequently, this Court finds that the plaintiffs have sufficiently established their entitlement to succeed to the estate of Parasurama Nattar.

5.7 Ex.A11, Ex.A13, Ex.A14 and Ex.A15 assume considerable importance. The encumbrance certificate, legal notice, reply notice and certified copies of the sale deeds dated 06.05.2013 disclose that defendants 1 to 8 executed the impugned sale deeds in favour of defendants 9 and 10. However, the defendants have failed to produce any independent document showing how they acquired title to execute those conveyances. When the plaintiffs have already established the earlier chain of title through Ex.A1 to Ex.A4, the burden shifted upon the defendants to establish a better title. In the absence of any such evidence, this Court is constrained to hold that defendants 1 to 8 had no subsisting right to alienate the suit properties. A settled principle of law is that no person can convey a better title than what he himself possesses. Therefore, the purchasers under the sale deeds dated 06.05.2013 cannot acquire any valid title.

5.8 Much emphasis has been placed by the defendants upon the subsequent mutation of patta in their favour. However, it is well settled that patta, chitta and other revenue records are maintained only for fiscal purposes and do not by themselves confer ownership. Ex.A15 itself indicates that the patta stood in the name of the defendants'

predecessor, but such mutation cannot prevail over registered title deeds and a registered release deed. When documentary evidence relating to title clearly supports the plaintiffs, the revenue entries cannot defeat their lawful rights. Therefore, this Court is unable to accept the contention that the defendants have acquired title merely on the strength of patta or mutation entries.

5.9 On an overall appreciation of the oral evidence of P.W.1 and the documentary evidence marked as Ex.A1 to Ex.A18, this Court is fully satisfied that the plaintiffs have established an unbroken chain of title commencing from Chokkalingam Nattar and culminating in themselves through lawful succession and the registered Release Deed dated 12.11.1990. The defendants have utterly failed to establish any independent title or lawful authority to execute the impugned sale deeds dated 06.05.2013. Consequently, the said sale deeds registered as Document Nos.1869/2013 and 1870/2013 are not binding upon the plaintiffs and are liable to be declared null and void. Accordingly, the plaintiffs are entitled to declaration of title, recovery of possession and consequential permanent injunction as prayed for. Hence, the suit deserves to be decreed

6. **Result:-**

In the result, the suit is decreed. No Costs. It is hereby declared that the plaintiffs are the absolute owners of the suit schedule properties and are entitled to recover possession of the same from the defendants. The registered sale deeds dated 06.05.2013

executed by defendants 1 to 8 in favour of defendants 9 and 10 and registered as Document Nos.1869/2013 and 1870/2013 on the file of the Sub Registrar Office, Sholinghur, are declared null and void and not binding on the plaintiffs. The defendants, their men, agents, servants or anybody claiming through them are permanently restrained from in any manner alienating, encumbering or interfering with the plaintiffs' peaceful possession and enjoyment of the suit schedule properties after delivery of possession. The plaintiffs are entitled to recover possession of the suit schedule properties in accordance with law. No Cost.

-//Dictated by me to the Steno-typist, and directly typed by her in Computer, and after rectification taken print out and pronounced by me in the Open Court, on this the 20th Day of July 2026.//-

(Sd/-)..K.Inbarani
DISTRICT MUNSIF
KATPADI

Plaintiffs side Witnesses:-

P.W-1 – Govindarajan (the 2nd Plaintiff)

Plaintiffs side Exhibits:-

Ex.A-1	05.11.1915	Sale Deed Original
Ex.A-2	12.08.1964	Sale Deed (Certified Copy)
Ex.A-3	20.11.1969	Sale Deed (Original)
Ex.A-4	12.11.1990	Akku Release Deed Translated in Tamil (Original)

Ex.A-5	13.08.1964 & 01.02.2012	Tax Receipts (Original)
Ex.A-6	21.11.1969	Registration Stamp Fees Receipt
Ex.A-7	31.12.2012	Petition given to VAO , Tahsildar, Collector issue receipt
Ex.A-8	06.04.1980	Death Certificated of A.K.Chokkalingan Nattar
Ex.A-9	-	Parasurama Nattar's Death Certificate
Ex.A-10	-	Encumbrance Certificate (Original)
Ex.A-11	24.01.2011	Advocate Legal Notice
Ex.A-12	-	Reply Notice
Ex.A-13	06.05.2013	Sale Deed Doc.No.1869/2013 (Certificate Copy)
Ex.A-14	06.05.2013	Sale Deed Doc.No.1870/2013 (Certificate Copy)
Ex.A-15	-	Patta Stands in the Defendants Father Name
Ex.A-16	17.11.1969	Sale Agreement (Original)
Ex.A-17	22.10.1953	Sale Deed (Original)
Ex.A-18	22.10.1953	Sale Deed (Original)

Defendants side Witnesses:- - NIL

Defendants side Exhibits:- - NIL

(Sd/-)..K.Inbarani
DISTRICT MUNSIF
KATPADI