

IN THE COURT OF THE PRINCIPAL SUBORDINATE JUDGE,
VILLUPURAM.

PRESENT : Thiru.N.S.Jayaprakash, B.Sc., B.L.,

Principal Subordinate Judge, Villupuram.

Friday, the 20th day of September 2024.

O.S. No.45/2014

(CNR NO: TNVP02-001784-2014)

1. T.S.Ponraj (died)

2. Parimala

3. Vital Prakash

4. Praneetha

(rep by his legal heirs no 2 to 4 plaintiff

herein amendment as per IA.386/2017 dt.14.09.2017.

...Plaintiffs

//Vs//

1) Abdul Wahab

2) Mohammed Ali

3) Mohammed Yusuf

4) M.Balkish Begum

5) A.Aisha Beghum

6) Ashira Bibi

7) Mohammed Anifa

8) Mohammed Ismail

...Defendants

This suit is coming on 20.09.2024 (today) for hearing before me in the presence of Tr.A.Karunamoorthy, Learned Counsel for the plaintiffs and Tr. P.Govindarajan Advocate for D1 and D3 and Tr.C.S.Rajendran Advocate for D2, and D4,5 and 8 called absent set exparte, and D6, D7 are died and Sufficient time given, plaintiff called absent, no representation, hence this court pronounced the following . . .

J u d g m e n t

The Court may be pleased to pass a decree of Specific performance directing the defendants 1 to 3 to execute a sale deed and convey the suit property in favour of the plaintiff in accordance with the terms of the suit agreement after receiving the balance sale consideration and to deliver possession to the plaintiffs and execute a sale deed in favour of the plaintiff after directing the plaintiff to deposit of the balance sale consideration. and specific performance could not be granted, direct the defendants 1 to 3 to pay to the plaintiff the advance amount of Rs.4,00,000/- with interest at 12% per annum from the date of the suit agreement ie.4.4.2007 till disposal of suit. and for permanent injunction restraining the defendants, his men and agents from any manner not to encumber or alienate the suit property to any third party except in accordance with the terms of the suit agreement; and for costs.

No representation for plaintiffs. Several adjournments given. Steps not taken. Suit is dismissed for default . No costs.

Pronounced by me in the open court on this the 20th day of September 2024.

Sd/-N.S.Jayaprakash,
Principal Subordinate Judge
Villupuram.

IN THE COURT OF THE PRINCIPAL SUBORDINATE JUDGE, VILLUPURAM.

PRESENT : Thiru.N.S.Jayaprakash, B.Sc., B.L.,

Principal Subordinate Judge, Villupuram.

Friday, the 20th day of September 2024.

O.S. No.45/2014

(CNR NO: TNVP02-001784-2014)

1. T.S.Ponraj (died) Son of Seenuvas Reddiyar, Hindu aged about 63 years residing at No.483, East Pondy Road, Villupuram Tamil Nadu 122.

2. Parimala wife of late Pondraj Hindu aged about 70 years residing at No.483, East Pondy Road, Villupuram Tamil Nadu 122.

3. Vital Prakash son of late Pondraj Hindu aged about 70 years residing at No.483, East Pondy Road, Villupuram Tamil Nadu 122.

4. Praneetha son of late Pondraj Hindu aged about 70 years residing at No.483, East Pondy Road, Villupuram Tamil Nadu 122.

(rep by his legal heirs no 2 to 4 plaintiff

herein amendment as per IA.386/2017 dt.14.09.2017.

...Plaintiffs

//Vs//

1) Abdul Wahab son of Late.Bakker Mohammed Rouser, Muslim aged about 49 years residing at No.51BM.Vadaku Street, Villupuram Tamilnadu

2) Mohammed Ali son of Late.Bakker Mohammed Rouser, Muslim aged about 49 years residing at No.51BM.Vadaku Street, Villupuram Tamilnadu

3) Mohammed Yusuf son of Late.Bakker Mohammed Rouser, Muslim aged about 49 years residing at No.51BM.Vadaku Street, Villupuram Tamilnadu

4) M.Balkish Begum wife of Mirangi Rouser D/o. Late Bakker Mohammed Rouser, Muslim aged about 40 years, residing at NO.517/2, Bhuvaneshwari nagar, Privakurichi, Neyveli, Cuddalore maind road Viruthachalam,

5) A.Aisha Beghum wife of abdul Kadar D/o. Late Bakker Mohammed Rouser,

Muslim agedn about 41 years, residing at No.35/27, Valaja Pallivasal Groud, North street, Villupuram Town, Villupuram.

6) Ashira Bibi wife of Late.Bakker Mohammed Routhier, Muslim aged about 35 years residing at No.51BM.Vadaku Street, Villupuram Tamilnadu

7) Mohammed Anifa son of Late.Bakker Mohammed Routhier, Muslim aged about 33 years residing at No.110/53, North street, Villupuram town.

8) Mohammed Ismail son of Late.Bakker Mohammed Routhier, Muslim aged about 30 years residing at No.110/53, North street, Villupuram town. ...Defendants

The Court may be pleased to pass a decree of Specific performance directing the defendants 1 to 3 to execute a sale deed and convey the suit property in favour of the plaintiff in accordance with the terms of the suit agreement after receiving the balance sale consideration and to deliver possession to the plaintiffs and execute a sale deed in favour of the plaintiff after directing the plaintiff to deposit of the balance sale consideration. and specific performance could not be granted, direct the defendants 1 to 3 to pay to the plaintiff the advance amount of Rs.4,00,000/- with interest at 12% per annum from the date of the suit agreement ie.4.4.2007 till disposal of suit. and for permanent injunction restraining the defendants, his men and agents from any manner not to encumber or alienate the suit property to any third party except in accordance with the terms of the suit agreement; and for costs.

The plaint was presented on 04.02.2014. Valuation of the suit is Rs.8,82,470/- and a Court Fees of Rs.66,1863 paise has been paid under Section 42(a) r/w 1 Article 1 of the Tamil Nadu Court Fees and Suit Valuation Act 1955.

The cause of action suit arose at Villupuram on 04.04.2007, 28.09.2006, 24.03.2007, 08.07.2013, 10.07.2013, 12.07.2013, 12.07.2013, 13.08.2013, 27.07.2011 Susequently.

This suit is coming on 20.09.2024 (today) for hearing before me in the presence of Tr.A.Karunamoorthy, Learned Counsel for the plaintiffs and Tr. P.Govindarajan Advocate for D1 and D3 and Tr.C.S.Rajendran Advocate for D2, and D4,5 and 8 called absent set exparte, and D6, D7 are died and Sufficient time given, plaintiff called absent, no representation, hence this court pronounced the following . . .

DECREE

1. that the suit is dismissed for default.
2. No costs.

SCHEDULE OF COSTS

	Plaintiff side Cost	Defendant side cost
Stamp on plaint	--	--
Stamp on vakalath	-Nil-	-Nil-
Advocate Fees	--	
Total		

SCHEDULE OF PROPERTY

விழுப்புரம் ரி.டி., விழுப்புரம் 2வது ஜாயிண்ட்டு சப்ரியைச் சேர்ந்த வி.மருதூர் கிராமத்தில் பண்டித ஜவஹர்லால் நேருஜி ரோட்டின் தென்சரகில், கண்ணன் வகை மனை நிலத்து பொது வழிக்கும் (மேற்கு) கண்ணன் வகை மனை நிலத்திற்கும், அறிவுக்கண்ணு, சுமதி கிரையம் பெற்றுள்ள மனைக்கும் (வடக்கு), கி.மே.வழி நடை காலிமனைக்கும் (கிழக்கு) பி.கே.எம்.ராபியாபீ வகையிரா மனைக்கும் (தெற்கு) இதன் மத்தியில் கி.மே.சாதியடி வடபுரம் 82-3/4, தென்புரம் 85-3/4 தேவ.சாதியடி கீழ்புரம் 36 அடி 1 அங்குலம். மேல்புரம் 36 அடி 1 அங்குலம். இந்த அடியுள்ள 3043 சதுரடிக் கொண்ட காலிமனை. இது சர்வே எண்.126/2, 126/3ல் சம்மந்தப்பட்டது. இதற்கு வார்டு எண்.31 இது விழுப்புரம் நகராட்சி எல்லைக்குட்பட்டது.

Given under my hand and seal of this Court on this the 20th day of September 2024.

Sd/-N.S.Jayaprakash,
Principal Subordinate Judge
Villupuram.