IN THE COURT OF THE ADDITIONAL SUB JUDGE, ARIYALUR
Present: Thiru. V. Raja, B.A., B.L.,
Additional Sub Judge,
Ariyalur.

Tuesday, the 7th day of October 2025

OS. No. 342/2023

CNRTNAL02000698/2023

State Bank of India,
Represented by its Branch Manager,
Asaveerankudikadu
Asaveerankudikadu Village
Sendurai Taluk .
Ariyalur District. ….Plaintiff

/Vs/

1.Babu, Aged about 25 years
S/o. Thiyagarajan
No.1/99A, Mariyamman Kovil Street
Nandhiyankudikadu Village
Solankudikadu Post
Sendurai Taluk
Ariyalur District.

2. Thiyagarajan, (Died)
S/o. Rajangam
No.1/99A, Mariyamman Kovil Street
Nandhiyankudikadu Village
Solankudikadu Post
Sendurai Taluk
Ariyalur District.

*3.Dhanalakshmi, Aged about 50 years
W/o. Thiyagarajan
No.1/99, Mariyamman Kovil Street
Nandhiyankudikadu Village
Solankudikadu Post
Sendurai Taluk
Ariyalur District.

RAJA V Digitally signed by RAJA V Date: 2025.10.07 14:40:58 +0530

Additional Sub Judge, Ariyalur.

*4.Thenmozhi, Aged about 28 years
D/o. Thiyagarajan
No.1/99, Mariyamman Kovil Street
Nandhiyankudikadu Village
Solankudikadu Post
Sendurai Taluk, Ariyalur District.

*5.Prabu, Aged about 26 years
S/o. Thiyagarajan
No.1/99, Mariyamman Kovil Street
Nandhiyankudikadu Village
Solankudikadu Post,
Sendurai Taluk, Ariyalur District. ....Defendants

*Amended as per order in I.A.No.4/2024 Dated 23.01.2025.

This suit came up for final hearing on 24.09.2025 in the presence of Thiru.T.A.P.Senthilkumar, the learned advocate for the plaintiff and the 2nd defendant died and 1, 3 to 5 defendants did not appear on summons, called absent, set exparte, upon perusing available materials and after hearing plaintiff side arguments having stood over for the consideration of this Court till this date, this Court delivers the following,

JUDGMENT

1. The Plaintiff Bank has filed this suit to pass a decree and judgment in favour of the plaintiff and as against the defendants for a sum of Rs.1,11,528/- and directing the defendants to pay the said amount to the plaintiff along with subsequent interest and for costs.

2. The brief contents of the Plaint is as follows:

The plaintiff is the Bank. The defendant is one of the beneficiaries of the education loan. The defendants have borrowed a sum of Rs.81,000/- from the plaintiff on 23.11.2016 as Educational loan for 1st defendant and for the same the defendants have executed the necessary documents required for it in favour of the plaintiff including a loan agreement. The interest for the same is 9.20% per annum. After obtaining the loan, the defendants are evading to repay the same in spite of the plaintiff's regular reminders and contacts. Till date the loan has not been repaid. Therefore the plaintiff is constrained to file the present suit for the recovery of the balance amount as prayed for.

3. In spite of service of summons on the defendants, the defendants did not appear on summons, called absent set exparte.

4. In order to substantiate the case of the plaintiff Bank, the Branch Manager of the plaintiff Bank deposed in the Court and filed his proof affidavit as PW1 and marked Exs. A1 to A6.

5. Heard plaintiff side Argument. Records perused.

6. **Now the Points for consideration is whether the plaintiff is entitled to the relief as prayed for in the plaint or not?**

6.1 The Plaintiff Bank's Branch Manager Thiru. Mohammed Saleem deposed as PW1 and marked Exs. A1 to A6. PW1 in his evidence deposed in support of the averments in the plaint. Ex.A1 is the loan application, Ex.A2 is the Letter of arrangement. Ex.A3 is the Loan Agreement executed by the 1 and 2

RAJA V Digitally signed by RAJA V Date: 2025.10.07 14:41:14 +0530
Additional Sub Judge, Ariyalur.

defendants. Ex.A4 and A5 are revival letters. Ex.A6 is the Accounts statement which shows the balance loan amount as on date.

6.2 1 and 2 defendants have borrowed loan by executing Ex.A3 loan agreement. From time to time they executed revival letters acknowledging the debt which are marked as Ex.A4 and A5. From Ex.A3 to A5 it is elucidated that 1 and 2 defendants borrowed the loan. Ex.A6 is the statement of accounts which shows the balance amount on the date of presentation of the plaint.

6.3 During the pendency of this suit 2nd defendant died. 3 to 5 defendants are his legal heirs who are enjoying the property of the deceased 2nd defendant. Therefore they are impleaded as 3 to 5 defendants by way of an interlocutory application.

6.4 The defendants after receiving summons failed to file any written statement or to cross examine the witness to disprove the plaintiff's case. Therefore this Court comes to the conclusion that the plaintiff Bank has established the borrowing of the loan by the defendants and the non-repayment by the defendants. Therefore the plaintiff Bank is entitled for the recovery of the suit claim with subsequent interest and costs from the defendants as prayed for.

7. In the result, the suit is decreed with cost and a decree and judgment is passed in favour of the Plaintiff Bank and as against the defendants that,

The defendants shall jointly and severally pay the plaintiff Bank a sum of

RAJA V Digitally signed by RAJA V Date: 2025.10.07 14:41:22 +0530

Additional Sub Judge, Ariyalur.

Rs.1,11,528/- (Rupees one lakh eleven thousand five hundred and twenty eight only) with interest on the principal amount of Rs.81,000/- at 9% per annum from the date of the suit till the date of the decree and with further interest at 6% per annum from the date of the decree till the date of realization, with the costs of this suit.

Dictated by me to the Steno-Typist, typed by her and corrected and pronounced by me in the open court, this the 7th day of October 2025.

RAJA V Digitally signed by RAJA V Date: 2025.10.07 14:41:28 +0530

Additional Sub Judge,
Ariyalur.

Witness examined on the side of the Plaintiff:-

P.W.1 : Thiru. Mohammed Saleem, Branch Manager, State Bank of India, Asaveerankudikadu Branch.

Exhibits marked on the side of Plaintiff:-

Ex.A1	26.11.2015	Loan Application	Original
Ex.A2	23.11.2016	Letter of arrangement	Original
Ex.A3	23.11.2016	Loan agreement	Original
Ex.A4	29.10.2019	Revival letter	Original
Ex.A5	05.10.2022	Revival letter	Original
Ex.A3	29.03.2023	Account Statement	Online copy

Defendants side witness and exhibits : Nil

RAJA V Digitally signed by RAJA V Date: 2025.10.07 14:41:33 +0530

Additional Sub Judge,
Ariyalur.