



**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, TIRUPPUR**

**PRESENT: Thiru.Swarnam J. Natarajan M.L.,**  
Principal District Judge, Tiruppur

**Friday, the 25<sup>th</sup> day of August, 2023**  
Thiruvalluvarandu 2054, Sobakirudhu year, 8<sup>th</sup> day of Aavani month

**I.A.No. 1251/2022**  
**in**  
**OS.No.531/2021**

M/s.City Housing Nidhi Limited  
Represented by its General Manager /  
Authorised person Mr.Sriganesh .....Petitioner/Plaintiff

**..Vs ..**

1. Umamaheshwari  
2. Indhumathi  
3. Swetha  
4. Kaliyappan .....Respondents / Defendants

This petition was coming up on 10.03.2023 for final hearing before me in the presence of Thiru.S.V.Sangamithra, advocate for the Petitioner and of Thiru.M.Sundareshwaran, advocate for the respondents and the respondents called absent and upon hearing the petitioner's side arguments and upon perusing the petition, affidavit and connected documents and having stood over for consideration till this day, this court delivers the following:

**ORDER**

This is the Final Decree application filed by the petitioner / plaintiff M/s.City Housing Nidhi Limited seeking for passing of Final Decree on the basis of the Preliminary Decree in OS.No.531/2021 dated 04.07.2022

Dated : 25.08.2023

Principal District Court, Tiruppur

TNTI180029322021



stating that the time period provided for payment of the Decree amount was expired and even thereafter no payment has been made by the respondents. Hence, for passing of Final Decree, this application is filed.

2. The petition filed that the suit in OS.No.531/2021 seeking for passing of Preliminary Decree and the same was decreed on 04.07.2022 directing the defendants together to pay a sum of Rs.11,33,493/- on the principal sum of Rs.10,31,782/- within three months i.e., on 3<sup>rd</sup> October 2022. Within the stipulated time, the amount has not been paid by the respondents and no appeal has been preferred against the said order. Therefore, the Preliminary Decree passed by this court holds good.

3. The respondents on appearance in the Final Decree had sought for referring the matter before Lok Adalat and accordingly matter was referred to Lok Adalat for settlement. However, no settlement has been arrived before the Lok Adalat between the parties. Thereby, the matter has been referred back for further proceedings. No counter has been filed by the respondents. Under such circumstances, this court finds that Final Decree is to be passed as prayed for.

4. Accordingly, the Final Decree application is filed by the petitioner for passing of Final Decree since the amount mentioned has not been paid. Thereby, this court finds that the plaintiff is entitled for Final Decree to bring the property for auction and in the event if the amount is not sufficient to satisfy the decree amount, the plaintiff is entitled for personal decree to realize the amount due from the defendants. Accordingly, Final Decree is passed.

Dated : 25.08.2023

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In the result, the petition is allowed by passing of Final Decree on the basis of the Preliminary Decree passed in OS.No.531/2021 dated 04.07.2022.

Dictated to the steno-typist, taken by her in short hand with the help of voice recorder, transcribed by her, corrected and pronounced by me in the open court, this the 25<sup>th</sup> day of August, 2023.

Principal District Judge,  
Tiruppur.

Dated : 25.08.2023

Principal District Court, Tiruppur.

TNTI180029322021



I.A.No. 1251/2022 in  
OS.No.531/2021

Draft/Fair Order  
I.A.No. 1251/2022 in  
OS.No. 531/2021  
Dated : 25.08.2023  
P D J Court,Tiruppur.

Dated : 25.08.2023

Principal District Court, Tiruppur.