

IN THE COURT OF THE MUNSIF, NADAPURAM.

Present: Sri. Yadukrishnan. B, Civil Judge (Junior division)

Wednesday, the 25th day of March, 2026

4th day of Chaithram, 1948

ORIGINAL SUIT NO. 18/2026

Between:-

MANAGER, CANARA BANK,]	
Kuttiady Branch Represented by VYSAKH.E.P,]	
S/o Sudheer Nath, Aged 34 years, Manager of]	
Canara Bank Kuttiady Branch, Kuttiady Post,]	Plaintiff
Kuttiady Amsom and Thondipoyil Desom,]	
Vatakara Taluk, Kozhikode District, Kerala.]	
]	

And:-

HASSAN,]	
S/o Moidu, Aged 68 years, Business,]	
Vadakkayithirikkal House, Parakkadavu,]	Defendant
Paleri, Paleri Amsom Paleri Desom, Koyilandy]	
Taluk, Kozhikode District, Kerala State, 673508.]	
]	

This suit coming on this day for hearing before me in the presence of Sri. Ramesan.K.K and Smt. Haritha.O.P, Advocates for the plaintiff and the defendant called absent,set exparte and this court delivered the following.

JUDGMENT

This is a suit for realization of money.

2. **The** **plaint averments, in brief, are as follows:-** The defendant approached the plaintiff bank for a Business loan and the loan was

sanctioned in favour of the defendant. However, the defendant was unable to clear off the loan amount. Subsequently, the plaintiff bank sent notice to the defendant. The defendant defaulted to repay the loan amount. Hence, the present suit is instituted by the plaintiff bank for the recovery of ₹ 2,65,475/- with interest at 10.20% per annum along with penal interest for 2 % from the date of suit till realization.

3. The summons was served to the defendant and the name of the defendant was called in open court and was proceeded exparte.

4. From the side of plaintiff bank, the Branch Manager and principal officer of the bank is present and examined as PW1. The documents are marked as Exts. A1 to A6. The plaintiff bank filed proof affidavit in lieu of examination in chief.

6. Heard the side of plaintiff.

7. On a perusal of plaint, proof affidavit and documents the claim of the plaintiff to realize the amount from the defendant stands unchallenged and undisputed. The claim of penal interest of 2 % is denied as it is against RBI Regulations. Hence, the suit is decreed with costs as follows:-

***The plaintiff is entitled to realize an amount of ₹2,65,475/-
(Rupees Two Lakhs Sixty Five Thousand Four Hundred and
Seventy Five only) with interest @ 10.20 % per annum, from the
date of suit till the date of realization.***

In the result, the suit is decreed with costs.

*(Dictated to C.A, typed by him in Office Computer, corrected and pronounced
by me in Open Court, on this the 25th day of March, 2026)*

*Civil Judge
(Junior Division)*

Exhibits Marked:-

Plaintiffs' Exhibits:

- | | | | | |
|--------|---|--------------------------------|---|--|
| A1 | : | 28.04.2023 | : | Loan application form submitted by the defendant to the plaintiff Bank. |
| A2 | : | 28.04.2023 | : | Sanction letter issued by the plaintiff Bank to the defendant. |
| A3 | : | 28.04.2023 | : | Agreement cum deed of Hypothecation executed by the defendant in favour of the plaintiff Bank. |
| A4 | : | 18.11.2025 | : | Copy of Lawyer notice sent by Adv. Ramesan.K.K to the defendant. |
| A4(a). | : | 18.11.2025 | : | Postal receipt. |
| A5. | | Nil | | Postal acknowledgment card. |
| A6. | | 28.04.2023
to
28.10.2025 | | Statement of Account of the defendant(A/c No.170008145865) of Canara Bank, Kuttiady Branch. |

Defendants' Exhibits:- Nil

Witness Examined:-

Plaintiff's Witness:-

PW1 : 25.03.2026 : Vysakh.E.P, S/o Sudheer Nath.

Defendants' Witness:- Nil

*Civil Judge
(Junior Division)*

Vkd