

IN THE COURT OF THE MUNSIFF OF TALIPARAMBA

Present: Sri. Santhosh. K. Venu, B.A., LL. B., Munsiff

Thursday, the 29th day of August, 2019

(7th day of Bhadra, 1941)

ORIGINAL SUIT NO. 362 OF 2018

Syndicate Bank, Mangatparamba Branch through its)
Senior Branch Manager.) Plaintiff

Vs.

- 1 Mithunlal.P, S/o Unnikrishnan.P, aged 25 years,)
Pandari House, P.O.Morazha, Kannur 670 331.)
- 2 Unnikrishnan.P, S/o Late Kannan, aged 59 years,) Defendants
Pandari House, P.O.Morazha, Kannur – 670 331.)
- 3 Vimala.P, W/o Unnikrishnan.P, aged 53 years,)
Pandari House, P.O.Morazha, Kannur – 670 331.)

This Suit coming on this day for hearing before me in the presence of S/Sri. T.Ramakrishnan and K.Jayalakshmi, Advocates for the plaintiff; of Sri. E.Narayanan, Advocate for the 2nd and 3rd defendants; 1st defendant appeared in person and the Court delivered the following:

J U D G M E N T

Suit for money.

2. All the defendants made their appearance. However, failed to file written statement.

3. The plaintiff filed proof affidavit in lieu of examination in

chief and Exts. A1 to A7 were marked on the side of the plaintiff.

4. Heard.

5. The Plaintiff filed proof affidavit in lieu of examination in chief and Exts. A1 to A7 were marked on the side of the plaintiff. The evidence adduced on the side of the plaintiff stands unchallenged, as there was no cross-examination on the part of the defendants. Hence, the plaint claim stands proved and I find myself the plaintiff entitled for a decree as prayed for.

In the result, suit is decreed and the defendants are directed to pay a sum of Rs. 5,04,539.41/- (Rupees Five lakh Four thousand Five hundred and thirty nine and 41 paise) with 9% interest from the date of filing of the suit till date of decree and with 6% interest from the date of decree till realization. Plaintiff is also entitled to recover the entire cost of the proceedings from the defendants.

(Dictated to the Confidential Assistant transcribed by her, corrected and pronounced by me in open court this the 29th August, 2019.)

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Plaintiff's Exhibits:-

A1	25-07-2011	Application for SYNDVIDYA Education Loan submitted by Mithunlal.P in Syndicate Bank, Mangattuparamba.
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A2	10-08-2011	General Agreement executed by Mithunlal.P and two others in favour of the Syndicate Bank.
A3	01-08-2018	Lawyer notice issued by Sri. T.Ramakrishnan, Advocate to Sri. Mithunlal.P and two others.
A4	02-08-2018	Postal Acknowledgement.
A5	02-08-2018	Postal Acknowledgement.
A6	02-08-2018	Undelivered Post Cover with postal Acknowledgement.
A7	---	Account Statement of Mithunlal.P in Syndicate Bank from 10-08-2011 to 31-08-2018.

Plaintiff's Witness:-

PW1 : Smt. Preethi Padmanabhan
(Proof Affidavit in Lieu of Examination in Chief)

rcr/-

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Fair/Spare Copy of Judgment in
OS. 362/18 dated 29-08-2019