

**IN THE COURT OF THE MUNSIF, ATTINGAL
PRESENT: SMT. SWATHI.R.KRISHNAN, MUNSIF
SATURDAY 5th OCTOBER, 2024 / 13th ASWINA, 1946**

OS No. 502/2016

Plaintiff:

Baby, D/o Sukumaran, aged 48 years, residing at Nediavila Veedu,
Thinavila, Keezhattingal Desom and Village.

By Advocate: Sri. Vimal Chandran

Defendant:

Girija, D/o Appukuttan, aged 38 years, residing at Velankonath Veedu,
Keezhattingal Desom and Village.

Set Exparte

This original suit having been finally heard on 04.10.2024 and the court on 05.10.2024 delivered the following:

JUDGMENT

The suit is for realization of money.

2. The plaint averments in brief are as follows:

The plaintiff and defendant are known to each other. On 10.05.2016 defendant borrowed an amount of Rs.2,00,000/- from the plaintiff and agreed to return the amount as and when demanded. Defendant also executed a promissory note on the same day. In spite of repeated requests, defendant did not pay the money. Lawyer notice was issued to the defendant on 17.08.2016, but the defendant did not pay the amount. Hence plaintiff filed the suit to recover the plaint amount of Rs.2,00,000/- with 12% interest from the defendant and her assets.

3. The suit was heard exparte.

4. The plaintiff was examined as PW1, who filed affidavit in lieu of examination in chief and Exts.A1 to A4 were marked.

5. Heard the counsel for the plaintiff.

6. Now the only point that arise for consideration is – **whether the plaintiff is entitled to realize the amount ?**

7. On perusing Ext.A1 which is the promissory note dated 10.05.2016 it is found that plaintiff has paid Rs.2,00,000/- to the defendant and hence she is entitled to realize sum of Rs.2,00,000/- from the defendant. Ext.A2 is the copy of legal notice dated 17.08.2016. Exts.A3 and A4 are the postal articles. From the exhibit and affidavit plaintiff's case stands proved and unchallenged.

In the absence of contra evidence it is hence proved that the plaintiff is entitled to realize the amount with costs. In the result, the suit is decreed with costs and the plaintiff is entitled to realize a sum of Rs.2,00,000/- (Rupees Two Lakhs only) with 6% interest per annum from the date of suit till realization from the defendant and her assets.

Dictated to the Confidential Assistant, transcribed and typed by her corrected and pronounced by me in open Court on this the 4th day of October, 2024.

Sd/-
SWATHI.R.KRISHNAN
MUNSIFF

Appendix:

Exhibits marked for the Plaintiff:

A1	10.05.2016	Promissory Note
A2	17.08.2016	Copy of Legal Notice
A3 & A4	—	Postal Articles

Exhibits marked for the Defendant:

Nil

Court Exhibits:

Nil

Witness for the Plaintiff:

PW1	25.09.2024	Baby
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Witness for the Defendant:

Nil

Id/-
MUNSIFF

//True Copy//

Typed by: Lasitha
Compared by: Sheena.K

MUNSIFF