

**IN THE COURT OF JUDGE, COMMERCIAL COURT
(DISTRICT JUDGE CADRE), COIMBATORE**

Present: **Thiru. K.Hariharan, M.L.,**
Judge,
Commercial Court (District Judge Cadre),
Coimbatore

Wednesday, the 25th Day of March 2026

C.O.S. No.51 of 2025
(CNR No.TNCB22-000112-2025)

M/s. Fivestar Business Finance Ltd., (Formerly known as M/s. Fivestar Business Credits Ltd.,) Rep. by its Authorized Signatory, Mr.S.Madhusandan, having office at New No.27, Old No.4, Taylor's Road, Kilpauk, Chennai - 600 010. **... Plaintiff**

// Vs //

1. R.O. Palanisamy (deceased), S/o late Mr. Othiyappa Gounder, resided at No.11A, Kamban Nagar, Varadharajapuram, Coimbatore - 641 105.

2. Mrs. P.Kannammal, W/o Mr. R.O.Palanisamy, residing at No.11A, Kamban Nagar, Varadharajapuram, Coimbatore - 641 105.

3. Mr.P.Tharanidharan, S/o R.O.Palanisamy, residing at No.11A, Kamban Nagar, Varadharajapuram, Coimbatore - 641 105.

.... Defendants

The suit has been filed by the plaintiff for the relief seeking to pass a Preliminary decree directing the defendants 2 and 3 to make a payment of Rs.48,36,076/- as on 29.04.2024 along with interest @ 6 % per annum from the date of the suit till the date of realization and in the event of failure to pay the said amount, the plaintiff seeks to foreclose and order for the sale of the suit immovable property and for cost.

Date of the suit : 30.07.2025

[Date of Registration : 10.12.2025]

Cause of action arose on : 15.07.2011, 15.06.2012, 21.03.2013, 31.07.2013, 27.10.2013, 01.02.2014, 15.06.2016, 15.05.2017, all at within the jurisdiction of this Court.

The value of the suit for the purpose of Court Fee and jurisdiction is Rs.48,36,076/- and a Court Fee of Rs.1,45,083/- is paid under Section 33 (9) of Tamil Nadu Court Fees and Suits Valuation Act, 1955.

DETAILS OF VALUATION

Total outstanding amount liable to pay along with interest	-	Rs.48,36,076/-
Court Fee paid u/s 39(9) of TNCF & SV Act	-	Rs.1,45,083/-

This suit came up for final hearing before me on 13.03.2026 in the presence of **Mr.K.Sethuram, Advocate** for the plaintiff and **Mr.A.A.Xavier Suresh, Advocate** for the defendants and upon perusing the records, hearing arguments on both sides and having stood over for consideration till this date, this Court **doth order** and **Preliminary Decree** as follows:-

(1) that the suit be and the same is hereby **Partly Decreed;**

(2) that the plaintiff be and is hereby entitled for the relief of recovery of principal sum of **Rs.13,00,000/- (Rupees Thirteen Lakhs only)** along with interest at the rate of **9% per annum** from the date of sanctioning of loan till the date of filing the suit.

(3) that the amount so far paid by the defendants (1st defendants or defendants 2 and 3) as installments shall be deducted towards the total interest component arrived by the plaintiff.

(4) that the plaintiff be and is entitled for interest at the rate of **6% per annum** from the date of suit till the date of realization along with costs.

(5) that the plaintiff be and is hereby directed to intimate the defendants 2 and 3 about the total sum arrived as outstanding by the plaintiff after deducting the amount paid by the defendants within one month time period;

(6) that the defendants 2 and 3 shall make the payment of principal along with interest and costs to the plaintiff within three months from the date of intimation, as per above clause (5);

(7) in case of failure to make the payment by the defendants 2 and 3 as decreed above, the plaintiff would be entitled to file the application for passing final decree seeking for to foreclose and sell the suit property to realize the outstanding sum.

(8) that the defendants do pay a sum of **Rs.1,45,100/-** (Rupees One Lakh Forty Five Thousand and One Hundred only) to the plaintiff being the cost of the suit, noted below.

MEMO OF COST

Cost on	Plaintiff side *	Defendants side
Stamp on the plaint	145,083.00	
Stamp on the Vakalath	17.00	
Suit pre/reply notice charges	- Cost list is not filed -	- Cost list is not filed -
Adv. Fee - Senior	-	
Total (Rs.)	145,100.00	

* **Cost Instituted****SCHEDULE OF THE PROPERTY**

All that piece and parcel of land and building situated at Door No.1, Bharathi Nagat, 1st Street, Ward No.10, Varadharajapuram, Coimbatore - 641 105, situated in Uppilipalayam Village, Coimbatore Taluk & District comprised in Survey no.84/1 part, 85/1 part, measuring 1,597 sq. ft.

- On the South - 30 feet wide Upper Road,
- On the North - Stone quarry
- On the East - Stone quarry
- On the West - Property owned by D.Amirtham

In the midst of this,

North East Upper 118.3/4 ft from the extreme east of this, the distance to the west is 20 feet, from there it is 17 feet, and 20 feet to the south, from there it is 30 feet to the north, and there it is 32 feet to the south, 15 feet to the north, and 8 feet 3 inches to the east, where it ends, the south is 12 feet 3 inches, where it ends, the south is 13 feet 6 inches, where it ends, the south is 6 feet 6 inches, where it ends, the south is 38 feet 1 inches, where it ends, the south is 19 feet 9 inches, where it ends, the south is 7 feet 6 inches, and where it ends, the 100 ft, the south is 7 feet 6 inches. The land area is 1597 square feet or 3 cents 290 square feet, including the building in it and the walkways.

Given under my hand and the seal of this court this the **25th Day of March 2026.**

sd / Tr. K.Hariharan, M.L.,
Judge,
Commercial Court,
(District Judge Cadre)
Coimbatore