

IN THE COURT OF SUBORDINATE JUDGE, PANRUTI

Present: Mrs. Anitha Anand, M.B.A., L.L.M.

Subordinate Judge, Panruti

Wednesday, the 05th day of August - 2026

I.A.No.4/2024

And

I.A. No. 2/2024 (Manual No.646/2024) in I.A. No.212/2024

in

O.S. No.133/2019

Hemalatha ... Petitioner / Defendant

Vs.

Selvaraj ... Respondent / Plaintiff

This petition finally heard today and upon perusal of records of the case and hearing submissions, this court passes the following order:

Appearance:

For the Petitioner: Mr.R.Murugesan, B.A., L.L.B., Advocate

For the Respondent: Mr.R.Vaitheeswaran, B.A. L.L.B. C.T.A., Advocate

O R D E R

I.A. No. 4 of 2024 – Petition filed under Order IX Rule 7 of the Code of

Civil Procedure, 1908, seeking to set aside the ex parte order dated 18.10.2024 passed against the petitioner in the suit.

I.A. No. 2 of 2024 in I.A. No. 212 of 2024 – Petition filed under Order IX Rule 7 of the Code of Civil Procedure, 1908, seeking to set aside the ex parte order dated 18.10.2024 passed against the petitioner in I.A. No. 212 of 2024, filed under Order XXXVIII Rule 5 CPC.

2. Heard both sides.

3. The petitioner is the defendant in the suit and the respondent in I.A. No. 212 of 2024. She has filed the present petitions seeking to set aside the ex parte order dated 18.10.2024 passed against her in the suit as well as in I.A. No. 212 of 2024, which was filed by the respondent under Order XXXVIII Rule 5 CPC for attachment before judgment.

4. The petitioner has stated that her absence on 18.10.2024 was neither wilful nor wanton, as she was suffering from fever on that day. The respondent opposed the petitions contending that they have been filed only after the application for attachment before judgment was posted for orders.

5. Considering the reasons assigned by the petitioner and in order to afford her an opportunity to contest the matter on merits, this Court is inclined to allow the petitions, subject to payment of costs.

6. Result:

In the result, both the petitions are allowed on condition that the

petitioner shall pay costs of Rs.1,000/- to the respondent on or before **19.08.2026**. Call on **19.08.2026** for reporting compliance.

Computerized by the Steno-typist directly on my dictation. Corrected and verified by me on this 05th August, 2026.

Subordinate Judge
Panruti.