

IN THE COURT OF ADDITIONAL DISTRICT MUNSIF, CHIDAMBARAM

Present: Tmt. E. Swetha, B.B.A., L.L.B (Hons)
Additional District Munsif
Chidambaram

Monday, the 16th day of March 2026

IA.227/2025 in OS.114/2024

Jagannathan

..... Petitioner/1st Defendant

/Vs/

Veerammal

.... Respondent/ Plaintiff

This petition is coming on 10.3.2026 for final hearing before me in the presence of Thiru. R. Gnanamani, Advocate for petitioner and Thiru. P. Gopalakrishnan, Advocate for respondent and upon hearing the argument of both sides and on perusal of case records and having stood over for consideration till this day, this court delivers the following:

ORDER

1. Petition filed under Order 9 Rule 7 of CPC to set aside the exparte order dated: 23.7.2024 against 1st defendant in suit.
2. Heard both sides learned counsels. Material records perused. This is the suit filed for the reliefs of declaration, recovery of possession and permanent injunction. The case is posted for appearance of D1 on 4.6.2024, 19.6.2024, 5.7.2024 and on 23.7.2024 the 1st defendant was set exparte for non-appearance in main suit. Hence, 1st defendant has not appeared before this court and was set exparte on 23.7.2024, subsequently this petition is filed by the petitioner/1st defendant under Order 9 Rule 7 of CPC to set aside the exparte order passed on

23.7.2024. counter filed by respondent and there is no serious objections for this petition.

3. On looking to the legal aspects, it is the settled preposition of law that the case as far as possible should be decided on merits by giving sufficient opportunities to both parties. Therefore this court, on considering the entire facts and circumstances of the case, is inclined to allow this petition so as to render substantial justice and for complete adjudication of issue in main suit. On the other hand, it is also to be seen that the defendant has not appeared despite sufficient opportunities. Therefore this court is of the view that this it is a fit petition to impose costs.

In the result, this petition is allowed on payment of cost of Rs500/- to the respondent on or before 24.3.2026. Call on 24.3.2026.

Dictated to the steno-typist, transcribed by her and typed in computer, corrected and pronounced by me in the open court this the 16th day of March 2026.

(Sd/-E.Swetha)
ADDITIONAL DISTRICT MUNSIF,
CHIDAMBARAM.