

IN THE COURT OF THE SUBORDINATE JUDGE, ODDANCHATRAM

PRESENT : Thiru.C.Jayaprakash.,M.Com.,M.L.,

Subordinate Judge, Oddanchatram.

Thursday, the 13th day of November 2025

திருவள்ளூர் ஆண்டு 2056 விசுவாசு வருடம் ஐப்பசி மாதம் 27-ம் நாள்

I.A.No.30/2025

in

O.S.No.763/2022

Govindhasamy

... Petitioner / Plaintiff

/ Vs/

01. Subramani

02. Kanthasamy

03. The Branch Manager, Canara Bank, Kondaranki Keeranur Branch.

... Respondents / Defendants

This petition is coming on 13.11.2025 before me in the presence of Thiru.T.Elango Counsel for the Petitioner / Plaintiff and Respondents are called absent set exparte and upon perusing the case records, having stood over for consideration, this court delivers the following.

ORDER

Petition filed on behalf of the Petitioner / Plaintiff Under Order 9 Rule 9 of C.P.C to order to restore the suit which was dismissed for default on 28.11.2024.

Petitioners side enquiry heard. Notice of Hearing already given. R1 to R3 are called absent set exparte on 22.04.2025. Records perused. It is settled that no one can left without heard and if any order passed without giving opportunity to the other side, is against natural justice. The reasons found in the petition and affidavit is satisfied. This court of view that in order to give a chance to the Petitioner / Plaintiff and in the interest of justice and as per the Audi Alteram Partem Principle, this court inclined to allow this petition without costs.

In fine,

This petition is allowed. No costs.

This order pronounced by me in the open court, on this the 13th day of November 2025.

(S/d–Thiru.C.Jayaprakash)

Subordinate Judge,

Oddanchatram.

Petitioner / Plaintiff side witnesses : Nil

Petitioner / Plaintiff side Documents : Nil

Respondents / Defendants side witnesses : Nil

Respondents / Defendants side Documents : Nil

(S/d–Thiru.C.Jayaprakash)

Subordinate Judge,

Oddanchatram.

IN THE COURT OF THE SUBORDINATE JUDGE, ODDANCHATRAM

PRESENT : Thiru.C.Jayaprakash.,M.Com.,M.L.,

Subordinate Judge, Oddanchatram.

Thursday, the 13th day of November 2025

திருவள்ளூர் ஆண்டு 2056 விசுவாசு வருடம் ஐப்பசி மாதம் 27-ம் நாள்

I.A.No.30/2025

in

O.S.No.763/2022

Govindhasamy, Age 65/2025, S/o.Aththappagounder, Kallankattuvalasu, Koothampoondi
Village, Oddanchatram Taluk, Dindigul District. ... Petitioner / Plaintiff

/ Vs/

01. Subramani, Age 60/2025, S/o.Muthusamygounder, Kasbha Kallimandhayam,
Kallimandhayam Village, Oddanchatram Taluk, Dindigul District.

02. Kanthasamy, Age 75/2025, S/o.Karuppanagounder, Kasbha Devathoor, Devathoor
Village, Oddanchatram Taluk, Dindigul District.

03. The Branch Manager, Canara Bank, Kondaranki Keeranur Branch, Oddanchatram
Taluk, Dindigul District. ... Respondents / Defendants

Petition filed on behalf of the Petitioner / Plaintiff Under Order 9 Rule 9 of C.P.C to
order to restore the suit which was dismissed for default on 28.11.2024.

Date of Petition : 12.12.2024

Stamp on Petition : Rs.20/-

This petition is coming on 13.11.2025 before me in the presence of Thiru.T.Elango
Counsel for the Petitioner / Plaintiff and Respondents are called absent set exparte and
upon perusing the case records, having stood over for consideration, this court delivers the
following.

..2..

DECREETAL ORDER

This petition is allowed. No costs.

SCHEDULE OF PROPERTY

NIL

DETAIL OF COSTS

| Cost List Details | Petitioner / Plaintiff Rs. | Respondents / Defendants Rs. |
|-------------------|-------------------------------|---------------------------------|
| Stamp on Petition | Rs.20/- | |
| | | |
| | Cost list not filed | |

Given under my hand and seal of this court this the 13th day of November 2025.

(S/d–Thiru.C.Jayaprakash)
Subordinate Judge,
Oddanchatram.