

IN THE COURT OF THE SUBORDINATE JUDGE, ODDANCHATRAM

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

Subordinate Judge, Oddanchatram.

Friday, the 08<sup>th</sup> day of August 2025

திருவள்ளூர் ஆண்டு 2056 விசுவாச வரடம் ஆடி மாதம் 23-ம் நாள்

I.A.No.102/2025

in

OS.No.1167/2022

Punithavathi

... Petitioner / Plaintiff

/ Vs/

01. Ramasamy

02. Lakshmanasamy

03. Sanmugasundharam

04. The Thasildar, Oddanchatram

05. The Sub Registrar, Oddanchatram.

... Respondents / Defendants

This petition is coming on 06.01.2025 before me in the presence of Thiru.P.Thirumoorthi Counsel for the Petitioner / Plaintiff and Thiru.R.Marappan counsel for R1 and R2 and Thiru.Muthukrishnan counsel for R3 and R4, R5 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 and 151 of CPC., to order to restored the suit.

Petitioner side enquiry heard. Records perused. This petition was filed to restore the suit which was dismissed for default on 04.01.2025. Notice of Hearing given. R1 to R3 side endorsed as petition may be allowed on heavy terms. R4 and R5 called absent set exparte in main suit proceedings. 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.

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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 with costs.

In fine,

The Petitioner / Plaintiff directed to pay the cost of Rs.1,000/- (Rupees One Thousand only) to the Respondents No.1 and No.2 / Defendants No.1 and No.2 and The Petitioner / Plaintiff directed to pay the cost of Rs.1,000/- (Rupees One Thousand only) to the Respondents No.3 / Defendants No.3 on or before 01.09.2025. On failure this petition shall stand dismissed automatically. Call on 02.09.2025.

This order pronounced by me in the open court, on this the 08<sup>th</sup> day of August 2025.

Subordinate Judge,  
Oddanchatram.

Petitioner / Plaintiff side witnesses	:	Nil
Petitioner / Plaintiff side Documents	:	Nil
Respondents / Defendants side witnesses	:	Nil
Respondents / Defendants side Documents	:	Nil

Subordinate Judge,  
Oddanchatram.

IN THE COURT OF THE SUBORDINATE JUDGE, ODDANCHATRAM

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

Subordinate Judge, Oddanchatram.

Friday, the 08<sup>th</sup> day of August 2025

திருவள்ளூர் ஆண்டு 2056 விசுவாச வரடம் ஆடி மாதம் 23-ம் நாள்

I.A.No.102/2025

in

OS.No.1167/2022

Punithavathi, Age 57/2025, W/o.V.R.Durai, D/o.Rathinasabhpathi, Ambilikai, Ambilikai Village, Oddanchatram Town, Dindigul District. ... Petitioner / Plaintiff

/ Vs/

01. Ramasamy, Age 72/2025, S/o.Velusamygounder, Kosavapatti, Thangachiyammappatti Post, Kappiliyapatti Village, Oddanchatram Town, Dindigul District.

02. Lakshmanasamy, Age 72/2025, S/o.Velusamygounder, Kosavapatti, Thangachiyammappatti Post, Kappiliyapatti Village, Oddanchatram Town, Dindigul District.

03. Sanmugasundharam, Age 72/2025, S/o.Palanisamygounder, Kosavapatti, Thangachiyammappatti Post, Kappiliyapatti Village, Oddanchatram Town, Dindigul District.

04. The Thasildar, Thasildar Office, Oddanchatram

05. The Sub Registrar, Sub Register Office, Oddanchatram.

... Respondents / Defendants

Petition filed on behalf of the Petitioner / Plaintiff Under Order 9 Rule 9 and 151 of CPC., to order to restored the suit.

Date of Petition : 06.01.2025

Stamp on Petition : Rs.20/-

This petition is coming on 06.01.2025 before me in the presence of Thiru.P.Thirumoorthi Counsel for the Petitioner / Plaintiff and Thiru.R.Marappan counsel for R1 and R2 and Thiru.Muthukrishnan counsel for R3 and R4, R5 called absent set exparte and upon perusing the case records, having stood over for consideration, this court delivers the following.

..2..

**DECREETAL ORDER**

The Petitioner / Plaintiff directed to pay the cost of Rs.1,000/- (Rupees One Thousand only) to the Respondents No.1 and No.2 / Defendants No.1 and No.2 and The Petitioner / Plaintiff directed to pay the cost of Rs.1,000/- (Rupees One Thousand only) to the Respondents No.3 / Defendants No.3 on or before 01.09.2025. On failure this petition shall stand dismissed automatically. Call on 02.09.2025.

**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 08<sup>th</sup> day of August 2025.

Subordinate Judge,  
Oddanchatram.