

IN THE COURT OF ADDITIONAL DISTRICT JUDGE, KRISHNAGIRI

Present: Thiru.V. Damodaran, B.L.M.,M.L.,

Additional District Judge, Krishnagiri
Thursday, the 19th day of February 2026

I.A.No.4/2025 in OS.No.532/2024
CNR .NO.TNKI01-005254-2024

Tamilselvi

....Petitioner/Defendant

/Versus/

A.Prabhu

....Respondent/Plaintiff

This petition was coming up before me finally on 11.02.2026 in the presence of Thiru. Sasi Kumar, Advocate appearing for the Petitioner, and Thiru.Kalimuthu, Advocate for appearing for the Respondent, and upon hearing the arguments of Petitioner and Respondent side and on perusal of available records, and having stood over for consideration till date, this Court deliver the following:-

ORDER

Petition filed u/o 8 Rule 9 by the petitioner/plaintiff to receive the reply statement filed in the above said suit.

2] The affidavit filed in the support of petition is as follows:-

The petitioner is the plaintiff in the suit and the respondent herein is defendant in the suit. The above said suit was filed for recovery of sum of Rs.47,18,250/-

together with subsequent interest and costs. The petitioner further submits that, the defendant filed written statement with false and imaginary allegations that the petitioner has to deny the false averments in the written statement by filing this reply statement. Hence, come out with present application.

3] The respondent filed counter is as follows:-

The respondent filed counter stating that, the petition is false and unsustainable law and on facts, as such the petition ought to have be dismissed. Except those facts admitted by the petitioner, the petitioner is duty bound to establish the averments contained in the petition. The suit filed for recovery of Rs.47,18,250/- along with interest and for the cost as stated in the petition is true, but, it is false to state that, with false averments written statement was filed. The real facts is that, the respondent was conducting chit business and in that way the petitioner used to pay the money to the respondent through his bank account and if the said facts is true as alleged by the respondent these facts would be stated in the plaint itself but, the said facts are not stated in the plaint, now after long gap of 6 months, after filing written statement, the present application was filed, as such the petition ought to be dismissed.

4] Point for consideration:

1. Whether the petition filed by the petitioners u/o 8 Rule 9 has to be allowed or not?

Point:

5] Heard both sides.

6] The petitioner counsel states that, for denying certain facts in the averments contain in the written statement, the present application was filed as such, the petition has to be allowed. On the other hand, learned counsel for the respondent/defendant argued before the court certain facts has been averred in the written statement and those facts of the real facts and after long gap of 6 months after filing of written statement, the present application was filed as such, there is no need to entertain the petition as such, prayed for dismissal of the said application.

7] Ongoing through the records place before the court, the suit is filed for recovery of money for Rs.47,18,250/- along with future interest and for the cost. The Written statement was filed by the defendant on 14.03.2025 and the case was referred to mediation now, Issues were framed in this case and the suit was filed referred to mediation, in the mediation the case was not settled, as such, it was returned back to the court for disposal according to law. Now, after the case was returned back to the court was disposal according to law, the present application was filed by the petitioner/plaintiff stating that, certain facts alleged in the written statement were utterly false and the petitioner/plaintiff has to deny the same and for the purpose the reply statement is required. As long as the petitioner/plaintiff did not give any contra materials as against the plaint, the petition ought to have been considered by the court. Accordingly, this court sees no major contradiction in the suit claim and the

reply statement find this case and further for denying certain facts contained in the written statement, the present application was filed. Accordingly, the petition is allowed.

In the result, this petition is allowed. No cost.

Dictated to the Stenographer, directly typed by her, corrected and pronounced by me in the open court today this the 19th day of February 2026.

Additional District Judge,
Krishnagiri.

Annexure: Nil

Additional District Judge,
Krishnagiri.