

IN THE COURT OF THE SUBORDINATE JUDGE AT UTHANGARAI

Present: Thiru.P. Thirugnana Sambandam, B.A.,B.L.,
Subordinate Judge, Uthangarai.

Tuesday the 07th day of April 2026

OS.No. 271 of 2023

C.N.R.No.TNKI11-001033-2023

Gowri

.....Plaintiff

//Vs//

Rajagobal

..... Defendant

This suit came before me for final hearing in the presence of Thiru.M.Sakthivel, Advocate for plaintiff and Thiru. N.Karthikeyan and Thiru.E.Lakshmanan advocates for the defendant and the same written statement not filed, hence the defendant being called absent set exparte and upon hearing the plaintiff side and having stood over for consideration till this day, this court delivered the following.

JUDGMENT

Suit filed for recovery of a sum of Rs.2,20,870/- from the Defendant together with interest on Rs.2,00,000/- at the rate of 12% p.a. from the date of suit till the date of realization and for costs of the suit.

2. Brief averments in the plaint are as follows:-

The defendant has borrowed a sum of Rs.2,00,000/- from the plaintiff on 07.01.2023 for his urgent family expenses and executed a promissory note in favour of the plaintiff on the same day and agreed to repay the same with interest at @ 1% per month. The defendant has neither pay any amount towards the principal nor the interest

in spite of repeated demands. Therefore, on 07.08.2023 the plaintiff has issued the legal notice to the defendant and the same was served. But the defendant failed to comply with the demands in the notice, Therefore, the plaintiff has no other option except for file this suit.

3. The defendant was remained called absent and set exparte.

4. The issue for consideration is

1. Whether the plaintiff is entitled to the decree as prayed for?

5. On the side of the plaintiff, the plaintiff examined as P.W.1 and examined as Ex.A1 to A3 were marked. On the side of the defendant, no oral and documentary evidence adduced.

6. On Issues :-

This court considering the arguments and evidence of Plaintiff side and also perusal of records this Court found that the defendant has borrowed a sum of Rs.2,00,000/- from the plaintiff on 07.01.2023 and executed a promissory note in favour of the plaintiff and agreeing to repay the same with interest at 1% p.m as evidenced from ExA1. Thereafter the defendant has not paid any amount to the plaintiff, for which the plaintiff has issued legal notice on 07.08.2023 and the same was received by Defendant as evidenced from Ex.A2 & A3 and the defendant has not paid any amount to the Plaintiff. Further even after receiving the legal notice the defendant has not paid any amount either towards the principal or interest to plaintiff till the date. Further this Court consider the signature of the defendant on Ex A1 , A3 and served summon,

vakalath are one and same. Hence, this court come to conclusion that the Ex.A1 executed by the defendant with valid consideration passed. In the above said circumstance the plaintiff proved his case through PW.1 and Ex.A1 to A3. Hence, the defendant is liable to pay a sum of Rs.2,20,870/- along with interest on Rs.2,00,000/- at the rate of 6% p.a. from the date of suit till the date of realization.

7. In result, suit is decreed with costs and the defendant is liable to pay a sum of Rs.2,20,870/- along with interest on Rs.2,00,000/- at the rate of 6 % p.a. from the date of suit till the date of realization.

Directly dictated to the typist, typed by her, corrected and pronounced by me in open court, this the 7th day of April 2026.

**Subordinate Judge,
Uthangarai.**

Witnesses on Plaintiff's side:

P.W.1 Gowri

Exhibits on Plaintiff's side:

Ex.A1	07.01.2023	Suit promissory note
Ex.A2	07.08.2023	Legal notice
Ex.A3		Acknowledgement card

Exhibits and Witnesses on Defendant side: NIL

**Sd/- Tr.P.Thirugnana Sambandam, B.A., B.L.,
Subordinate Judge,
Uthangarai.**