

In the Court of the Principal District Judge,
Principal District Court, Kancheepuram.

PRESENT: **Tmt. Deepthi Arivunithi, M.L.,**
Principal District Judge,
Principal District Court ,
Kancheepuram.

Wednesday the 29th day of October 2025

IA.No.1/2025 in O.S. No.87/2021

S. Sundaram

...Petitioner/7th defendant

Vs

1. Veronica
2. Rose
3. Lilly Balammal
4. Selena

.... Respondents/ Plaintiffs.

This petition is coming on 15.10.2025 for final hearing before me in the presence of M/s. N. Domesan Associates, D. Manimaran, N. Arujunan, B. Balaji, B. Aravindhan and N. Vinoth, Counsels appearing for the Petitioner and Thiru. C. Manmathan, Counsel for the respondents and upon hearing the arguments on both sides and upon hearing arguments on both sides and upon perusal of records and having stood over the matter for consideration till this day, this court delivered the following

ORDER

Petition filed under Order IX Rule VII to set aside the ex parte order dated 12.09.2023 and to receive the written statement on behalf of the petitioner/7th defendant.

2. The learned counsel for the petitioner/7th defendant would contend that the suit is filed against the petitioner and other defendants claiming partition and separate possession and other three declaratory reliefs. The case was posted on 12.09.2023 for filing written statement. After filing of the suit, the petitioner approached his previous vendor and informed him about the facts and asked him to produce any other documents at the time of registration. Since the petitioner is residing in Chennai, he was unable to contact his counsel during the month of September 2023. The petitioner is a bona fide purchaser for value and has a good case on merits. Therefore that the ex parte order be set aside and the written statement may be received on record.

3. The learned counsel for the respondents/plaintiffs would contend as follows. The reasons given in the petition are not genuine. Though the petitioner has stated that he wanted to obtain certain documents from previous vendor, no documents are filed along with the written statement. The present petition is filed only to drag on the case and therefore that this petition has to be dismissed.

4. Upon hearing both sides and having perused the materials on record, this court finds as follows. The main suit in O.S.No. 87/2021 is one for partition and for declaratory relief in respect of the sale deeds executed in favour of the subsequent purchasers. The present petition is filed to set aside the ex parte order which was posted by this court on 12.09.2023 for non filing of the written statement. Now the written statement is also filed by the petitioner/7th defendant. Considering the nature of the claim and in order to grant an effective opportunity to the petitioner/7th defendant to contest the suit on merits, this court is inclined to allow this petition on payment of costs.

5. In result, this petition is allowed on condition with cost of Rs.2000/- be paid to the respondents/plaintiffs on or before 05.11.2025. Call on 06.11.2025.

//This order has been dictated by me to the Stenographer, taken down, transcribed and typed by her in the computer, corrected and pronounced by me in the open Court on this the Wednesday the 29th day of October 2025//

Principal District Judge,
Principal District Court,
Kancheepuram.

Exhibits and Witnesses on both side: NIL.

Principal District Judge,
Principal District Court,
Kancheepuram.

Draft/Fair Order
I.A.No.1/2025 in
O.S.No. 87/2021
D.D. 29.10.2025
Principal District Court ,
Kancheepuram.

