

**IN THE PRINCIPAL SUBORDINATE COURT AT KANCHEEPURAM**

PRESENT: TMT. J. MOHANA, M.L.,

Principal Subordinate Judge.

Monday the 3<sup>rd</sup> day of August 2026

**ORIGINAL SUIT NO.149 OF 2025**

(CNR No.TNKP07 – 000639 – 2025)

Shagul Ameer

.....Plaintiff

/Vs/

Venkatachalam

.....Defendant

This suit have come up on 06.07.2026 before me for final hearing in the presence of M/s.R. Sadham Hussain, H. Sathik Basha, M. Mugesh and B.Arun learned counsels appearing for the Plaintiff, Defendant set exparte on 06.04.2026 upon hearing the submissions of the learned counsels for the Plaintiff, and also on perusal of the records, having stood over for consideration till this day, this Court delivers the following:

**JUDGMENT**

This suit is filed for the relief of recovery of Rs.1,75,000/- and direct the defendant to pay the same together with interest at the rate of 2% p.a till the date of realization and for costs of the suit.

1. CASE OF THE PLAINTIFF: The defendant has borrowed a sum of Rs.1,75,000/- from the plaintiff on 21.07.2024 for his family expenses and he also

accepted to pay the same together with interest at the rate of 2% p.a. After borrowing the said amount he had executed a Promissory Note. The defendant has not paid any amount and in spite of repeated demands and requests made by the plaintiff to the defendant and the defendant has failed to neglect to repay the said due amount. The defendant have approached the plaintiff and he assured to repay the entire amount shortly but he did not comply with the same. The plaintiff has issued a legal notice to the defendant on 02.04.2025 respectively the same he was also received on 03.04.2025. The defendant has not paid any amount till date. Hence the suit.

2. Despite of summons duly served, the defendant failed to turn up before this Court, and was consequently set *ex parte* on 06.04.2026.

3. POINT FOR DETERMINATION: Whether the plaintiff is entitled for relief of recovery of a sum of Rs.1,75,000/- with interest at the rate of 2% per annum from the date of plaint till the date of its actual realization and also costs of the suit?

4. The Plaintiff was examined as PW1 and Ex.A1 to Ex.A4 documents were marked through him. Ex.A1-Promissory Note; Ex.A2 - Legal notice; Ex.A3 - Acknowledgment card ; Ex.A4 – Aadhaar card of Plaintiff.

5. Heard the submissions of the learned counsels for the plaintiff. Perused the records.

6. Though the defendant had remained *exparte* is the duty of the court to see whether the plaintiff had proved their case based on oral and documentary evidence.

7. To substantiate the case of the plaintiff, the plaintiff has been examined as PW1 through him Ex.A1 to Ex.A4 were marked. To disprove the case of the plaintiff admittedly the defendant has not appeared before this court. In the absence of any *contra* evidence it is presumed that the plaintiff has established their case through oral and documentary evidence. Hence, the court is restrained to decree in respect of the suit claim alone.

8. RESULT: In the result, the suit is decreed with costs, and the defendant is directed to pay a sum of Rs.1,75,000/- (Rupees one lakh seventy five thousand only) to the plaintiff together with interest at the rate of 9% per annum from the date of the plaint till the date of decree and thereafter 6% per annum till the date of realization on principal amount.

Dictated to the Steno-typist, typed by her directly in the desktop, corrected and pronounced by me in the open Court, on this the 03<sup>rd</sup> day of August 2026.

Principal Subordinate Judge,  
Kancheepuram.

LIST OF WITNESS EXAMINED ON THE SIDE OF THE PLAINTIFF:

PW1 Shagul Ameer

LIST OF DOCUMENTS EXHIBITED ON THE SIDE OF THE PLAINTIFF:

|       |            |                                       |
|-------|------------|---------------------------------------|
| Ex.A1 | 21.07.2024 | Promissory Note – Original            |
| Ex.A2 | 02.04.2025 | Legal notice – Office copy            |
| Ex.A3 | 03.04.2025 | Acknowledgment card - Original        |
| Ex.A4 | --         | Aadhaar card of Plaintiff – Photocopy |

Principal Subordinate Judge,  
Kancheepuram.

\*\*\*\*\*