

IN THE COURT OF THE ADDITIONAL SUBORDINATE JUDGE, TIRUCHENGODE

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

Additional Subordinate Judge, Tiruchengode.

Monday, the 20th day of January 2025

திருவள்ளூர் ஆண்டு 2055 குரோதி வருடம் தை மாதம் 07 -ஆம் நாள்

I.A.No.05/2025

in

I.A.No.01/2024

in

O.S.No.360/2024

1. Periyammal

2. Santhiya

3. Sathish

.... Petitioners/Defendants

/Vs/

1. Pavayee

2. Selvi @ Suseela

3. Sumathi

.... Respondents/Plaintiffs

This Petition is coming on 20.01.2025 before me in the presence of Thiru.C.Muthusamy Counsel for the Petitioners/Defendants and upon perusing the case records, having stood over for consideration, this court delivers the following:

ORDER

Petition filed on behalf of the Petitioners/Defendants Under Order 9 Rule 7 of C.P.C., to order to set aside the exparte order against petitioner/1 to 3 Respondents, which was exparte order passed in IA.No.01/2024 on 06.01.2025, reason stated in the affidavit.

Records perused. Respondents side notice given and Respondents side endorsed as no objection. Petitioners/Defendants filed a petition Under Order.9 Rule.7 of CPC to set aside the exparte order against Respondent on 06.01.2025. 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. The reasons found in the petition and affidavit is satisfied. Considering the duration of period and nature of this case this court of view that in order to give a chance to the Petitioners/Defendants and in the interest of justice and as per the Audi

Alteram Partem Principle, this court inclined to allow this petition without cost.

In fine,

This petition is allowed without cost.

This Order pronounced by me in the open court, on this the 20th day of January 2025.

Additional Subordinate Judge,
Tiruchengode.

Petitioners/Defendants side witnesses	:	Nil
Petitioners/Defendants side documents	:	Nil
Respondents/Plaintiffs side witnesses	:	Nil
Respondents/Plaintiffs side documents	:	Nil

Additional Subordinate Judge,
Tiruchengode.

IN THE COURT OF THE ADDITIONAL SUBORDINATE JUDGE, TIRUCHENGODE

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

Additional Subordinate Judge, Tiruchengode.

Monday, the 20th day of January 2025

திருவள்ளூர் ஆண்டு 2055 குரோதி வருடம் தை மாதம் 07 -ஆம் நாள்

I.A.No.05/2025

in

I.A.No.01/2024

in

O.S.No.360/2024

1. Periyammal(45) W/o Late.Ramasamy @ Murugesan,

2. Santhiya(22) D/o Late.Ramasamy @ Murugesan,

3. Sathish(20) S/o Late.Ramasamy @ Murugesan,

All are residing at Avarangkadu,

Molipalli Village,

Tiruchengode Taluk,

Namakkal District.

.... Petitioners/Defendants

/Vs/

1. Pavayee(70) W/o Late.Duraisamy,

Door No.5/81, South Thottam,

Chinnannanpalayam, Molipalli Village,

Tiruchengode Taluk,

Namakkal District.

2. Selvi @ Suseela(50) W/o Mariappan,

Asarikadu, Chinnannanpalayam,

Molipalli Village, Tiruchengode Taluk,

Namakkal District.

3. Sumathi(45) W/o Murugesan,

Door No.5/81, South Thottam,

Chinnannanpalayam, Molipalli Village,

Tiruchengode Taluk,

Namakkal District.

.... Respondents/Plaintiffs

Petition filed on behalf of the Petitioners/Defendants Under Order 9 Rule 7 of C.P.C., to order to setaside the exparte order against petitioner/1 to 3 Respondents, which was exparte order passed in IA.No.01/2024 on 06.01.2025, reason stated in the affidavit.

Date of Petition : 20.01.2025

Stamp on Petition : Rs.20/-

This Petition is coming on 20.01.2025 before me in the presence of Thiru.C.Muthusamy Counsel for the Petitioners/Defendants and upon perusing the case records, having stood over for consideration, this court delivers the following:

DECREETAL ORDER

1. That the petition be and the same is hereby allowed.
2. That there will be an order as to no costs.

SCHEDULE OF PROPERTY-NIL

DETAIL OF COSTS

Cost list Details	Petitioners/Defendants Rs.	Respondents/Plaintiffs Rs.
Stamp on Petition	Rs.20/-	
	Cost list not filed	

Given under my hand and seal of this court this the 20th day of January 2025.

Additional Subordinate Judge,
Tiruchengode.