

IN THE COURT OF THE ADDITIONAL SUBORDINATE JUDGE, TIRUCHENGODE

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

Additional Subordinate Judge, Tiruchengode.

Thursday, the 05th day of December 2024

திருவள்ளூர் ஆண்டு 2055 குரோதி வருடம் கார்த்திகை மாதம் 20 -ஆம் நாள்

I.A.No.02/2024

in

O.S.No.386/2023

P.K.Palanisamy Petitioner/Defendant

/Vs/

A.Kathirvel Respondent/Plaintiff

This Petition is coming on 05.12.2024 before me in the presence of Thiru.K.R.Shanmugam Counsel for the Petitioner/Defendant and Thiru.C.Muthusamy, Counsel for the Respondent/Plaintiff and upon perusing the case records, having stood over for consideration, this court delivers the following:

ORDER

Petition filed on behalf of the Petitioner/Defendant Under Order 9 Rule 7 of C.P.C., to pass an order to setaside the exparte order against Petitioner/Defendant which was ordered on 03.06.2024 for the reason stated in the accompanying affidavit.

Records perused. Notice of hearing given. Respondent/Plaintiff side endorsed as Petition may be allowed on cost. Petitioner/Defendant filed a petition Under Order.9 Rule.7 of CPC to set aside the exparte order against Respondent on 03.06.2024. 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 Petitioner/Defendant and in the interest of justice and as per the Audi Alteram Partem Principle, this court inclined to allow this petition with cost.

In fine,

The Petitioner/ Defendant is directed to pay the cost of Rs.1000/- (Rupees One Thousand only) to Respondent / Plaintiff on or before 16.12.2024. On failure this petition shall stand dismissed automatically. call on 17.12.2024.

This Order pronounced by me in the open court, on this the 05th day of December 2024.

Additional Subordinate Judge,
Tiruchengode.

Petitioner/Defendant side witnesses	:	Nil
Petitioner/Defendant side documents	:	Nil
Respondent/Plaintiff side witnesses	:	Nil
Respondent/Plaintiff side documents	:	Nil

Additional Subordinate Judge,
Tiruchengode.

Fair order
I.A.No.02/2024 in
O.S.No.386/2023
Dt.05.12.2024

IN THE COURT OF THE ADDITIONAL SUBORDINATE JUDGE, TIRUCHENGODE

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

Additional Subordinate Judge, Tiruchengode.

Thursday, the 05th day of December 2024

திருவள்ளூர் ஆண்டு 2055 குரோதி வருடம் கார்த்திகை மாதம் 20 -ஆம் நாள்

I.A.No.02/2024

in

O.S.No.386/2023

P.K.Palanisamy(56) S/o Kolandhaivel,
Door No.4/43, Thattankadu,
West Pallipatti, Goundampalayam,
85, Tiruchengode Taluk,
Namakkal District

.... Petitioner/Defendant

/Vs/

A.Kathirvel(36) S/o Atthappan,
Door No.147/3, Karukkur,
Kilapalayam Post,
Tiruchengode Taluk,
Namakkal District

.... Respondent/Plaintiff

Petition filed on behalf of the Petitioner/Defendant Under Order 9 Rule 7 of C.P.C., to pass an order to setaside the exparte order against Petitioner/Defendant which was ordered on 03.06.2024 for the reason stated in the accompanying affidavit.

Date of Petition : 05.11.2024

Stamp on Petition : Rs.20/-

This Petition is coming on 05.12.2024 before me in the presence of Thiru.K.R.Shanmugam Counsel for the Petitioner/Defendant and Thiru.C.Muthusamy, Counsel for the Respondent/Plaintiff and upon perusing the case records, having stood over for consideration, this court delivers the following:

DECREETAL ORDER

The Petitioner/ Defendant is directed to pay the cost of Rs.1000/- (Rupees One Thousand only) to Respondent / Plaintiff on or before 16.12.2024. On failure this petition shall stand dismissed automatically. call on 17.12.2024.

SCHEDULE OF PROPERTY-NIL

DETAIL OF COSTS

Cost list Details	Petitioner/Defendant Rs.	Respondent/Plaintiff Rs.
Stamp on Petition	Rs.20/-	
	Cost list not filed	

Given under my hand and seal of this court this the 05th day of December 2024.

Additional Subordinate Judge,
Tiruchengode.