



IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THENI

Present: Thiru. Swarnam J. Natarajan, M.L.,

Principal District Judge, Theni

Thursday, this the 30th day of April - 2026

I.A.No.02/2026 - In -

G.W.O.P.No.15/2024

Sheebarani ... **Petitioner / Respondent**

-Versus-

Prabu ... **Respondent / Petitioner**

This petition was coming up on 30.04.2026, for today final hearing before me in the presence of Thiru. L. Ramprasath, Advocate for the Petitioner / Respondent and the Respondent / Petitioner was served with a copy of this petition and perusing the documents, the case having stood over for consideration till this day, this Court delivers the following :

ORDER

This is the petition filed by the Petitioner / Respondent under Order 9 Rule 7 and 151 of Civil Procedure Code to set aside the exparte order on 13.02.2026.



2. According to the petitioner, she is the petitioner/respondent in the above case. It is submitted that the matter was posted on 13.02.2026 for filing counter on her side, but due to ill-health, she was unable to appear before this court and file the counter on that day. Hence, she was set exparte by this court. It is further submitted that the case bundle was inadvertently mixed up with other files in the office of her counsel and therefore, she could not file the petition to set aside the exparte order within the prescribed time. The petitioner/respondent has a fair case on merits and is desirous of contesting the matter and the petitioner is now filing this petition along with the counter. The non-appearance of the petitioner was neither wilful nor intentional and the failure to file the counter was not intentional but due to unavoidable circumstances. Hence, the present application is filed.

3. The Respondent was served with a copy of this petition. I.D.O.P.No.51/2023 and G.W.O.P.No.15/2024 are connected matters and this application has been filed along with the counter. Considering the reasons stated in the application, this court finds them satisfactory and convincing in order to afford an opportunity to the petitioner/respondent to contest the case on merits and to establish her bona fides, this application is allowed. No costs. The evidence recorded in I.D.O.P.No.51/2023 on the



side of the petitioner and the respondent is treated as evidence in G.W.O.P.No.15/2024 and the same is recorded. Both the matters are posted for arguments on 06.06.2026.

In the result, this petition is allowed. No cost.

Dictated to the Steno-Typist, taken by her in shorthand, transcribed and typed by her with the help of voice recorder, and Microsoft 365, corrected and pronounced by me, in the open court, this the 30th day of April - 2026.

**Principal District Judge,
Theni.**



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*I.A.No.02/2026 in
G.W.O.P.No.15/2024*

The Principal District Court,

Theni.

I.A.No.02/2026

in

G.W.O.P.No.15/2024

Fair / Draft **ORDER**

Date : 30.04.2026

30.04.2026

Principal District Judge, Theni