



IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THENI

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

Principal District Judge, Theni

Friday, this the 13th day of March - 2026

Appeal Suit No.23/2021

CNR.No.TNTH01-000684-2021

S. Selvakumar ... Appellant / Defendant

/Versus/

K. Chellasamy ... Respondent / Plaintiff

Appeal against the Decree and Judgment dated 05.06.2018 in
O.S.No.119/2014 on the file of Subordinate Court, Theni.

Between :-

K. Chellasamy ... Plaintiff

/Versus/

S. Selvakumar ... Defendant

This appeal suit was coming upon 13.03.2026, for final hearing before me in the presence of Thiru. M. Muruga Dhinakaran, Advocate for the Appellant / Defendant and of Thiru. P. Rajmohan, Advocate for the Respondent / Plaintiff and upon perusing the records and the trial court's Judgment and decree and on hearing both side arguments, this court delivered the following ...



J U D G M E N T

1. The appellant being a Special Sub-Inspector of Police working in Theni District had preferred the present appeal to set aside the money degree in O.S.No.119/2014 dated 05.06.2018 by this learned Subordinate Judge Theni. Now pending appeal, it is reported that respondent is missing and the appeal could not be proceeded further. Now a memo has been filed by the appellant to that effect that E.P.No.110/2020 on the file of learned Subordinate Judge, Theni in O.S.No.119/2014 on the attachment order to the salary of the appellant / Judgment Debtor a sum of Rs.8,10,000/- is attached and now lying in the credit of execution petitioner although subsequently the execution petition was closed after the exparte order being set aside. Now, out of Rs.8,10,000/- in order to satisfy the degree amount the appellant has conceded for retaining Rs.7,25,000/- on account of the Subordinate Judge, Theni in E.P.No.110/2020 in O.S.No.110/2014 with the permission to respondent / plaintiff to withdraw the said amount due Rs.7,25,000/- with subsequent interest. The remaining Rs.85,000/- is permitted to be withdrawn by the appellant.

2. By recording the said memo and as the matter has been settled out of court between the counsel for the appellant and the respondent, the appeal is



dismissed as withdrawn. Refund of Court fee is ordered in favour of the appellant. The appellant is entitled to withdraw the sum of Rs.85,000/- lying to the credit of the Subordinate Court, Theni in E.P.No.110/2020 in O.S.No.119 /2014, subject to satisfaction of the decree. The Decree Holder / Plaintiff, on being traced or through his duly authorized legal representative, is entitled to withdraw the sum of Rs.7,25,000/- lying in the credit of the said execution petition in terms of the memo recorded.

In the result, the Appeal Suit is dismissed as withdrawn. No costs.

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 13th day of March – 2026.

**Principal District Judge,
Theni.**

Appellants side witness and documents :-

-Nil-

Respondents side witness and Documents:-

-Nil-

**Principal District Judge,
Theni.**

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A.S.No.23/2021

The Principal District Court,
Theni.

A.S.No.23/2021

Fair / Draft Judgment

Date : 13.03.2026

13.03.2026

Principal District Judge,Theni