



IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THENI

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

Principal District Judge, Theni

Monday, this the 20th day of April - 2026

Original Suit No.116/2025

CNR.No.TNTH01-001980-2025

J. Govindan S/o. S. Jeganathan, age 52 years, residing at Mariamman Padithurai Street, Thenkarai Municipality, Periyakulam Taluk, Theni District.

... **Plaintiff**

-Versus-

V. Annakodi S/o. Vellaichamy Thevar, age 61 years, residing at 3rd Street, Karuvelnayakanpatti, Theni – Allinagaram Minicipality, Theni Taluk, Theni District – 625 531.

... **Defendant**

The plaintiff had instituted the suit for passing of preliminary decree directing the defendant to pay the suit claim of **Rs.28,67,200/-** with cost of the suit from the date of plaint till the date of decree and in default, directing the schedule mentioned property to be sold without attachment and the sale proceeds to be adjusted towards the amount decreed.



Date of Presentation :- 19.06.2025

Cause of Action:- 23.07.2012, 22.07.2013, 09.03.2025, 28.04.2025 arose at Theni District.

Court Fee :-

Value of the suit at **Rs.28,67,200/-** and the Court fee paid for **Rs.86,016/-** as per section 33 (1) Schedule I Article of Tamil Nadu Court Fees and suit valuation Act.

This suit was coming up on 16.04.2026, for final hearing before me in the presence of Thiru. V. Sriram, Advocate for the plaintiff and of Thiru. K. Dharmakodi, Advocate for the defendant and after the defendant was called absent set exparte and upon hearing the arguments of plaintiff side and perusing the evidence, documents, the case having stood over for consideration till this day, this Court delivers the following ...

PRELIMINARY MORTGAGE DECREE

It is hereby declared that the amount due to the plaintiff on the mortgage mentioned in the plaint calculated up to this **20.04.2026** is the sum of **Rs.7,00,000/-** **(Principal)** for the sum of **Rs.21,67,200/- (Previous interest) + Rs.44,014/-** **(Subsequent interest at 7.5 % per annum (from 19.06.2025 to 20.04.2026)** for



interest thereon and the sum of **Rs.86,026/-** for the cost of the suit awarded to the plaintiff making in all the sum of **Rs.29,97,240/-** out of which the principal sum of **Rs.7,00,000/-** shall carry future interest at 6 % from this day (**i.e., 20.04.2026**) till the date of realization.

i) that the defendant do pay into court on or **20th day of July 2026** or any later date up to which time for payment may be extended by the courts, the said sum of **Rs.29,97,240/-** out of which the principal sum of **Rs.7,00,000/- at the rate of 6% per annum from the date of decree till the date of realization.**

ii) That, on such payment and on payment thereafter before such date as the court may fix, of such amount as the court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11 of order XXXIV of the First Schedule to the code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his / her possession or power relating to the mortgaged property in the plaint mentioned, and all such documents shall be delivered over to the defendant or to such persons as he / she appoints and the plaintiff, shall if so required, re-convey or re-transfer the said property free from the mortgage and clear of an from all encumbrances created by the plaintiff or any person



claiming under him / her or any person under whom he / she claims and shall, if so required. Deliver up to the defendant quiet and peaceable possession of the said property.

(iii) And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff may apply to the court for a final decree for the sale of the mortgaged property and on such application being made, the mortgaged property or a sufficient part thereof shall be directed to be sold and for the purpose of such sale the plaintiff shall produce before the court or such officer as it appoints all documents in his / her possession of power relating to the mortgaged property.

(iv) And is hereby further ordered and decreed that the money realized by such shall be paid into court and shall be duly applied (after deduction there from of the expenses of the sale) in payment of the amount payable to the plaintiff under this decree and under any further orders that may be passed in this suit and in payment of any amount which the court may adjudge due to the plaintiff in respect of such costs of the suit, and such costs, charges and expenses as may be payable under rule 10 together with such subsequent interest as may be payable under Rule 11 of order XXXIV of the First schedule to the code of civil procedure, 1908 and that balance if any, shall be paid to the defendant or other persons entitled to receive the same.



(v) And it is hereby further ordered and decreed and that if the money realized by such sale shall not be sufficient for payment if full of the amount payable to the plaintiff as aforesaid, the plaintiff shall be at liberty (where such remedy is open to him under the term of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the defendant for the amount of the balance; and that the parties are at liberty to apply to the court from time to time as they may have occasion, and on such application or otherwise the court may give such directions as it thinks fit.

சொத்து விபரம்

தேனி மாவட்டம், பெரியகுளம் பதிவு மாவட்டம், தேனி சார்பதிவகம், அல்லிநகரம் கிராமம், உட்கடை கருவேலநாயக்கன்பட்டியில் வடக்கு புலத்தில் 2018 நம்பர் கூட்டு பட்டாவில் அயன் சர்வே 186/2 நிர் 3 ஏக்கர் 80 செண்டில் நடுமையம் 1 ஏக்கர் 25 செண்டின் வடபக்கம் பாதி 62.1/2 செண்டில் நடுமையம் 2.1/2 செண்டு பாதைக்கு கழிக்கப்பட்டது போக பாக்கி உள்ள 60 செண்டில் வடக்கு லாட்டில் மேல்பக்கம் 10 செண்டு உள்ள காலிமனையிடத்திற்கு நான்குமால் :

வடக்கு - ஓ. கருப்பத்தேவர் நிலம்
கிழக்கு - சரஸ்வதி கிரைய இடம்
தெற்கு - கிழமேல் வீதி
மேற்கு - பெரியமாயத்தேவர் நிலம்



இம்மாலின் மேற்படி செண்டு 10 உள்ள காலியிடத்தில் பிரிவினையில்லாத 5
செண்டுக்கு 2180 சதுரடிக்கு 202.52 சதுர மீட்டர் காலிமனையிடம்.

Cost List Particulars

Plaintiff's side: (Calculated Under Rule 96 of Civil Rules of Practice)		Defendant's side:	
Stamp on Complaint	86,016.00	Stamp on Vakalath	10.00
Stamp on Vakalath	10.00		
(Cost Allowed)	Rs.86,026.00		Rs.10.00

(Cost list not filed)

(Cost list not filed)

Given under my hand the seal of this court this the 20th day of April - 2026.

**Principal District Judge,
Theni.**



*scan the code using 'e Courts Services'
mobile application download from Play Store*

7

O.S.No.116/2025

The Principal District Court,
Theni.

O.S.No.116/2025

Preliminary Mortgage Decree

Date : 20.04.2026

20.04.2026

Principal District Judge, Theni