



IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THENI

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

Principal District Judge, Theni

**Monday, this the 27<sup>th</sup> day of April - 2026**

**Original Suit No.184/2025**

**CNR.No.TNTH01-002835-2025**

Canara Bank having its Head Office at Bangalore, Karnataka State represented by its Branch Manager, Thiru. C. R. Ramesh, age 32 years, Canara Bank, Aundipatti Branch, Aundipatti Taluk, Theni District, Tamilnadu – 625531.

**... Plaintiff**

**-Versus-**

R. Selvaganesan S/o. Rasaiah, age 42 years, residing at Door No.5, Kumarapuram, Aundipatti Town, Aundipatti Taluk, Theni District.

**... Defendant**

The plaintiff bank represented by the Chief Manager had instituted the suit for passing of preliminary decree directing the defendant to pay the suit claim of **Rs.19,69,119/- (comprising Rs.1,39,377/-, Rs.9,68,774/-, and Rs.8,60,968/- towards three loans)**, together with subsequent interest at the respective rates of **11.35% p.a., 12.05% p.a., and 12.05% p.a.**, and with costs of the suit from the date of plaint till the date of decree and in default, directing the schedule mentioned



properties to be sold without attachment and the sale proceeds to be adjusted towards the amount decreed and if the sale amount is not sufficient to appropriate the decree amount, to proceed personally against the defendant.

**Date of Presentation :-** 17.09.2025

**Cause of Action:-** 06.08.2022, 06.02.2022, 10.11.2022, 28.07.2022 and 08.03.2025 arose at Aundipatti Branch, Theni District.

**Court Fee :-**

Value of the suit at **Rs.19,69,119/-** and the Court fee paid for **Rs.59,074/-** as per section 33 (1) Schedule I Article of Tamil Nadu Court Fees and suit valuation Act.

This suit was coming up on 24.04.2026, for final hearing before me in the presence of Thiru. R. Baskaran, Advocate for the plaintiff and 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 **27.04.2026** is the sum of **Rs.19,30,000/-** (Principal) for the sum of **Rs.39,119/-** (Previous interest) + **Rs.88,436/-** (Subsequent interest at 7.5 % per annum (from 17.09.2025 to 27.04.2026) for interest thereon and the sum of **Rs.79,752/-** for the cost of the suit awarded to the plaintiff making in all the sum of **Rs.21,37,307/-** out of which the principal sum of **Rs.19,30,000/-** shall carry future interest at 6 % from this day (i.e., 27.04.2026) till the date of realization.

i) that the defendant do pay into court on or **27<sup>th</sup> 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.21,37,307/-** out of which the principal sum of **Rs.19,30,000/-** 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.

### **DESCRIPTION OF PROPERTIES**

1. Theni District, Periyakulam Registration District, Andipatti Sub-District, Kovilpatti Village, bearing Patta No.5742, Comprised in S.No.209/3 measuring 1.7 ¼ acres of land out of 1.61 acres on the southern side out of 2.42 acres of land on the southern side bounded on



- East - Land in Songuraj and others
- West - Road and Land
- South - Land of Manikandan
- North - Land of Chinnadurai

2. Theni District, Periyakulam Registration District, Andipatti Sub-District, Kovilpatti Village, bearing Patta No.5742, Comprised in S.No.209/3 measuring 60 cents of land out of 81 cents on the western side out of 2.42 acres of land on the northern side bounded on

- East - Land in Vijayan
- West - Road and Land
- South - Land of Chinnadurai
- North - Land of Sivanandi thevar Padappadi

3. Theni District, Periyakulam Registration District, Andipatti Sub-District, Kovilpatti Village, bearing Patta No.4154, Comprised in S.No.214/5 measuring 63 cents of land in 1/3 right of 1.88 acres of land on the eastern side bounded on

- East - Land of Sekar and others
- West - Land of Vijayan
- South - Land of Chinnadurai and Well
- North - Land of Senjuri



Within these boundaries and 1/3 rights of well and the said well is installed with 5.H.P electric motor pump set under S.C.No.39 and right of pathway with other Customery and conventional right.

**Cost List Particulars**

<b>Plaintiff's side :</b>		<b>Defendant's side :</b>	
Stamp on Plaint	59,074.00		
Stamp on vakalath	10.00		
Advocate Fee (Senior)	15,000.00		
Advocate Fee (Junior)	5,560.00	- NIL -	
Batta Memo	08.00		
Pleading Charge	100.00		
(Cost Allowed)	----- <b>Rs.79,752.00</b> -----		

(Cost list filed)

Given under my hand the seal of this court this the 27<sup>th</sup> day of April - 2026.

**Principal District Judge,  
Theni.**



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*O.S.No.184/2025*

The Principal District Court,  
Theni.

O.S.No.184/2025

**Preliminary Mortgage Decree**

Date : 27.04.2026

27.04.2026

Principal District Judge, Theni