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I.A. No.04/2026 in O.S. No.241/2025

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THENI.

Present : Thiru. A. SARAVANAKUMAR, B.A., B.L.,
Principal District Judge, Theni.

Thursday, this the 23rd day of July, 2026

I.A. No.04/2026

in

O.S. No.241/2025

C.N.R. No.TNTH01-003819-2025

G. Kanagaraj

...Petitioner/5th Defendant

/ Vs /

1. R. Jeyakannan

(Rep. by his Power Agent

R.Subbaiya)

2. J. Vinoth

...Respondents/Plaintiffs

This petition is coming upon 23.07.2026, for today hearing before me in the presence of Thiru. M. Uthayasuriyan, Advocate for the Petitioner/5th Defendant and Thiru. A. Balamurugan, Advocate for the Respondent/Plaintiff and upon perusing the case records and the case having stood over for consideration, this court delivered the following :

ORDER

This is a petition filed by the petitioner/5th defendant under Order 9 Rule 7 r/w Section 151 of the CPC to set aside the exparte order passed in O.S. No.241/2025 on 27.03.2026.

2. Petition perused. No counter filed by the respondents.

3. Records perused. Heard both sides.

23.07.2026

Principal District Judge, Theni



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4. The point for the determination is:-

(1) Whether the petition is to be allowed or not ?

5. No oral or documentary evidence has been adduced on both sides.

Point:

6. This is an application under Order 9 Rule 7 CPC to set aside the exparte order that has been passed against the petitioner on 27.03.2026. The petition has also been presented along with written statement. The learned counsel for the respondents endorsed as no counter. However, he pleads that subject to payment of costs, the petition may be allowed. Considering the facts and circumstances of the case, this court is of the view that the petitioner is prevented by sufficient cause to attend the court. However, since he has caused a delay in filing the application to the respondents, this court is of the view every delay can be compensated by way of cost under Civil Law. Therefore, this court is inclined to allow the application with costs.

In the result, the petition is allowed on the payment of cost of Rs.3,100/- to be paid directly to the respondents/plaintiffs on or before 30.07.2026, otherwise, the petition shall be dismissed. Call on 31.07.2026.

Dictated to the Steno-Typist, taken by him in shorthand, transcribed and typed by him, corrected and pronounced by me, in the open court, this the 23rd day of July - 2026.

**Principal District Judge,
Theni.**

23.07.2026

Principal District Judge, Theni



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List of witnesses examined and documents marked on both sides:-

Nil

**Principal District Judge,
Theni.**



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Principal District Court,
Theni.

Copy of Order in
I.A. No.04/2026 in
O.S. No.241/2025
Dated : 23.07.2026