

IN THE COURT OF PRINCIPAL DISTRICT MUNSIF, TIRUPPUR.

PRESENT: Tmt.A.Vanitha, M.S.W.,L.L.B.,

(J.O.CODE: 01953)

Principal District Munsif, Tiruppur,

Monday this the 9th day of March 2026

I.A.No. 2/2026

in

O.S.No.107/2025

M/s.SMFG India Credit Company Limited, rep by its
Authorized Officer Mr.H.B.Guruprasad

... Petitioner/ 4th Defendant

/Versus/

1. N.Nandakumar

..Respondent/Plaintiff

and

2. R.N.Moorthy

3. N.Nisanth kumar

4. P.Rameshkumar

..Respondents/Respondents

This petition coming on 09.03.2026 for final hearing before me in the presence of Thiru.V.Balasubramani, Advocate for Petitioner/ 4th defendant, Respondent side counter not filed, No representation, upon perusing the documents, having stood over till this day for consideration, this court delivers the following :

ORDER

1. This petition is filed Under Order 9 Rule 7 of CPC to pass an order to set aside the exparte order passed against this Petitioner/ 4th defendant.

THE GIST OF THE PETITION IS AS FOLLOWS:

2. The petitioners is the 4th defendant in the main case. The Respondent/ Plaintiff has filed the suit for Permanent Injunction. The case was adjourned for marking appearance of defendant and filing vakalat on 06.10.2025. The petitioner/4th defendant have noted the date for hearing on 16.10.2026 instead of 06.10.2025. Hence we could not able to file the vakalat on hearing date.

3. The petitioner/4th defendant further submit that, the non-filing of the vakalat on the hearing date is neither will not wanton but only to the reason stated above. Hence exparte order passed against Petitioner/ Respondent 1 and 5 to 9 for non appearance. Hence the petition.

4. Counter of Respondents not filed and set exparte.

5. This petition is filed U/o 9 Rule 7 of CPC to set aside the exparte order dated 06.10.2025 passed against the petitioner/4th defendant.

6. Further, it is a settled law, that parties must be given opportunities to prove their case. Even though the petition is filed at belated stage, this court is inclined to allow the petition.

S.No.	ORDER
1.	As a result, this petition is allowed. There is no order for costs.

Having dictated by me directly and computerized by Steno- typist directly and having corrected the Judgment is pronounced by me in the open court,of this the 9th day of March 2026.

Principal District Munsif,
Tiruppur.

Petitioner Witnesses:

-NIL-

Petitioner side Exhibits

-NIL-

Respondent Witnesses:

-NIL-

Respondent side Exhibits

-NIL-

Principal District Munsif,
Tiruppur.