

**IN THE COURT OF SUBORDINATE JUDGE OF PALLADAM**

**PRESENT: Thiru.K. Yuvaraj, B.A.,B.L.,  
Subordinate Judge, Palladam**

Wednesday of 10<sup>th</sup> September, 2025

**IA No.2/2025**

**in**

**OS No.115/2024**

Hajira ... Petitioner / Defendant

/Vs/

Saranya ... Respondent / Plaintiff

This petition is coming on 03.09.2025 for final hearing before me in the presence of Tmt.V.Sakthidevi,M.B.A.,B.L, Advocate for the Petitioner and Thiru.B.Sathishkumar,B.L., Advocate for the Respondent. Upon hearing both side argument, and all connected material records and having stood over till this day, for consideration, this court delivered the following..

**ORDER**

This application was filed by the Petitioner / Defendant as against the Respondent / Plaintiff to reject the plaint under Order VII Rule 11 of CPC.

2. The Learned Counsel for the Petitioner / Defendant argued that the Respondent filed the suit as against the Petitioner for the Recovery of Money of Rs.2,31,168/- and 12% interest on Rs.2,00,000/- and for other reliefs.

3. All the allegations raised by the Plaintiff is incorrect. The Defendant have no knowledge about the amount transaction made by the Respondent

/ Plaintiff to Chandran. This Petitioner / Defendant is running a Fancy store in Mahalakshmi Nagar, Palladam. He helped the Respondent / Plaintiff to purchase a site which was said to be owned by one Chandran. But later on after receiving Rs.2,00,000/- as an Advance amount by the Chandran, it came to the knowledge of the Petitioner and Respondent that the said Chandran is not the owner of the said property. Hence the Respondent / Plaintiff filed a frivolous suit as against this Petitioner / Defendant for Recovery of money from him. Hence Prayed for rejection of plaint.

4. Per contra, the Learned Counsel for the Respondent / Plaintiff vehemently argued that the Defendant had obtained a loan on 16.08.2023 for his urgent family needs and thereafter he had not repay the same. Hence he filed this suit after issuing notice on 09.11.2023. Hence there is a clear cause of action for launching this suit and prayed for dismissal.

## **II. Now point for consideration is whether this petition is allowed?**

5. Heard Both sides. Perused Entire records. On careful perusal of records admittedly this suit was filed by the Respondent / Plaintiff as against the Petitioner / Defendant for recovery of money of a sum of Rs.2,31,168/-. It is the case of the Petitioner / Defendant that there is no business transaction between the Petitioner and Respondent. Since the Respondent / Plaintiff paid Rs.2,00,000/- to purchase a land from one Chandran. The Chandran had cheated him. Hence in order to take vengeance this frivolous suit have been filed as against the Petitioner / Defendant.

6. On careful perusal of averments filed by the Plaintiff in his plaint it is averted that the Defendant had obtained a hand loan on 16.08.2023 for his urgent family business. Hence the facts placed by the Plaintiff needs an

ordeal of trial. Without ordeal of trial this Court cannot come to the conclusion that there is no cause of action in this case.

With this observation, this application deserves to be dismissed. No costs.

Dictated to the stenographer, transcribed and typed out by her, corrected and pronounced by me in open court this 10<sup>th</sup> September 2025.

Subordinate Judge,  
Palladam.

Fair / Final Order

IA. 2/2025 in OS 115/2024

Date:10.09.2025.