

IN THE COURT OF THE DISTRICT MUNSIF, VANDAVASI,  
TIRUVANNAMALAI DISTRICT.  
PRESENT : Tr. R. SENTHIL KUMAR, B.A.,B.L.,  
DISTRICT MUNSIF.  
WEDNESDAY THE 14TH DAY OF AUGUST 2024  
**IA.No. 02/2024 in O.S.No.11/2007**

1. Kanna Pillai,  
2. Jothi

. . . Petitioners/2nd defendant

-Vs-

Natarajan

...Respondent/Plaintiff

This petition when coming before this court on 14.08.2024 in the presence of Mr.S. R. Mannrasu, learned counsel for the Petitioners/2nd Defendant and Mr. G. Viswanathan, learned counsel for the Respondent/Plaintiff and upon consideration of the case records and having stood over for consideration till this date, this court delivers the following..

**ORDER**

- 1.This petition is filed to set-aside the order setting the petitioner/2nd defendant exparte.
2. This suit is jointly tried with a suit in OS.No.132/2003 and in that suit also this petitioner is 2<sup>nd</sup> defendant.
3. The suit in OS.No.132/2003 is being centested on behalf of this petitioner as well but becuae of exparte order in this suit, she is unable to give evidence in the suit. Thus, she prays setting aside exparte order.
4. The respondent has objected this petition as belated one and delaying tactics.
5. Point:- Whether this petition is liable to be allowed or not?
6. Heard. As above discussed the petitioner is unable to give evidence in the joint trial due to exparte order against her in this suit. Both the suits are still pending and it is necessary for the petitioner to give evidence since she is contesting the suit in OS.No. 132/2003. Hence, this court did not see any legal impedement in the prayer of petitioner and it is this courts view that this petition is liable to be allowed. However, the petitioner has come up with this petition at the fag end of the suit. Hence, she is liable to pay costs. Accordingly, the point is answered.

In the result, this petition is ordered to be allowed on cost of Rs.1,000/- payable to respondent on or before 20.08.2024 call on by then.

This order is pronounced by me in the open Court on this the 14<sup>th</sup> day of August 2024.

Sd/-Tr. R. Senthikumar,  
District Munsif,  
Vandavasi.

// True Copy //

District Munsif,  
Vandavasi.