

In the Court of the Subordinate Judge, Mannargudi

Present: Thiru.S.Muthuraman, B.L.,

Subordinate Judge, Mannargudi

Monday, the 25<sup>th</sup> day of October 2025

(Visuvavasu Varudam Ippasai Month 8<sup>th</sup> day)

**O.S.No:1 of 2025**

CNR.No: TNTV05-000002-2025

Selvaganapathi

... Plaintiff

/Versus/

Nagarajan

.. Defendant

This suit coming up for final hearing on 13.10.2025 before me in the presence of Thiru.S.Udayakumar Counsel for Plaintiff and the defendant called absent set exparte and upon hearing the arguments of the plaintiff side and perusing the records, having stood over for consideration till this date, this Court delivered the following:

**Judgment**

1) The plaintiff herein has filed this suit for Recovery of Money, to pass a decree against the defendant for a sum of Rs.5,52,521/- with subsequent interest and costs of the suit.

2) **The averments made in the plaint is as follows:-**

That on 04.04.2023, the defendant borrowed a sum of Rs.5,00,000/- (Rupees Five lakhs only) from the plaintiff for his urgent family expenses and on the same day the defendant has executed a suit pronote infavour of the plaintiff. It will be repaid on demand with interest at the rate of Rs.1.00/- per Rs.100/- per month to the plaintiff. The plaintiff made a several attempt to discharge the said loan amount, even after a several demand made by the plaintiff orally and through Legal Notice dated 13.03.2024, the defendant herein not choose to discharge the loan amount. The

defendant received the legal notice on 31.03.2024 nor send any reply. Hence, this plaintiff filed this suit for Recovery of Money.

3) After taken on file suit summon send to the defendant by this court, and the defendant side counsel also appeared, but on later no written statement was filed in his side, resulted he set exparte.

4) In order to prove the case of plaintiff, the plaintiff himself examined as PW1, through him Exhibits A1 to A3 are marked on 12.09.2025. And no further evidence was produced and closed in his side.

5) Heard on the side of plaintiff. The plaintiff also reiterated the plaint averments by way of proof affidavit. Admittedly, in this case, the allegations made in the plaint are not denied by the defendant herein by either let in oral evidence nor through documentary evidence. On seeing, the exhibits marked by the plaintiff, the Ex.A1 is pronote executed by the defendant infavour of plaintiff and other documents marked through PW1. Which are clearly and vividly proved the claim of the plaintiff.

6) As per the documents which were marked as Exhibits A1 to A3 are clearly shows that the defendant herein has to pay the said loan amount along with interest and also shows that the defendant was in defaulter. The marked documents Exhibit A1 to A3 are proved, that the cause of action of this case and the marked documents are clearly established that the plaintiff is proved his claim through documentary evidence. It is settled preposition of the law, that in the absence any contra evidence, it has to be presumed that the plaintiff proved his case. Hence, this court come to conclusion that the plaintiff proved the case with oral and documentary evidence. Accordingly, the point is answered in his favour.

7) In the result,

1. The suit is decreed as prayed for

2. The defendant is hereby directed to pay a sum of Rs.5,52,521/- together with subsequent interest of 9% per annum from the date of plaint till the date of decree on the principle amount of Rs.5,00,000/-and thereafter 6% per annum till its realization and cost of the suit.

Typed by me in court computer system, and corrected and pronounced by me in the open court, this the 25<sup>th</sup> day of October 2025.

Subordinate Judge,  
Mannargudi.

Appendix:-

1) **Plaintiff side Evidence :-**

PW1 - Selvaganapathi

2) **Plaintiff side Exhibits :-**

|            |            |                                      |             |
|------------|------------|--------------------------------------|-------------|
| Exhibit A1 | 04.04.2023 | Pronote                              | Original    |
| Exhibit A2 | 13.03.2024 | Legal Notice issued by the plaintiff | Office copy |
| Exhibit A3 | 23.03.2024 | Acknowledgment card                  | Original    |

3) **Defendant side Evidence and Exhibits:-** Nil

Subordinate Judge,  
Mannargudi.3