

**IN THE COURT OF DISTRICT MUNSIF, KATPADI, VELLORE DISTRICT  
PRESENT: THIRU. K.VENKATESAN, B.A., B.L.,  
DISTRICT MUNSIF, KATPADI.**

Wednesday, this the 20<sup>th</sup> Day of December – 2023

**I.A.No. 01 of 2023  
In  
O.S.No. 11 of 2015  
(CNR.No.TNVL230000662015)**

1. Chinnakka
2. K.Pujamma
3. K.Baskara Naidu
4. K.Chitti Ammal
5. J.Paremala
6. Annanda Naidu
7. Kesavalu Naidu

.....Petitioners/Defendants

**-Vs-**

1. Anji Naidu (Died)
2. A.Vimala
3. Subramani
4. Lalitha
5. Radha Ammal

.....Respondents/Plaintiffs

This petition has come up today before this Court for orders, upon hearing the arguments of Thiru. K.M.Boopathi, the Counsel for the Petitioners, and Respondents Counsel who made endorsement 'as this petition may be allowed on heavy terms' and upon perusing the petition and the entire case records, and having stood before this court for consideration till this date, this court delivers the following:-

**ORDER**

This petition has been filed by the petitioners/defendants under Order IX Rule 7 of Civil Procedure Code, to set aside the exparte order on 09.12.2022 against D2 to

D6 and to set aside the exparte order on 31.08.2018 against D1 and D7 in the above suit.

Records perused. This petition to set aside exparte orders against D2 to D6 on 09.12.2022 and D1 and D7 on 31.08.2018. Notice given to Plaintiffs/Respondents Counsel who made endorsement as this petition may be allowed on heavy terms. On careful perusal of records, this suit is filed for partition. The Petitioners are defendants in the above suit and they were set exparte on 31.08.2018 and 09.12.2022. When the above suit is pending at exparte further evidence, the petitioners have come forward and filed this petition. As on date, no exparte Judgment passed. Considering the above facts and endorsement of plaintiffs counsel and also considering the nature of suit and filing of written statement along with this petition and in order to dispose the suit on merits by giving opportunity to both side, this court is inclined to allow this petition. No costs.

Pronounced by me in the open court, this the 20<sup>th</sup> day of December 2023.

DISTRICT MUNSIF  
KATPADI