

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2016

CORAM:

THE HONOURABLE MR. **JUSTICE M.M.SUNDRESH**

C.S.No.563 of 2014

M/s N.Thangavel
... Plaintiff
Vs.
D.Jebamanickam
... Defendant

Civil Suit is filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 C.P.C., to pass decree and judgment against the defendant to direct the defendant to pay a sum of Rs.43,40,000/- together with further interest at 12% per annum on the principal sum of Rs.35,00,000/- from the date of plaint till the date of realization to the plaintiff and along with interest 12% per annum and for costs.

For plaintiff : Mr.A.Saravanan

For defendant : Ex-parte

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JUDGMENT

The suit is laid by the plaintiff for the following relief:

- (a) to pass decree and judgment against the defendant to direct the defendant to pay a sum of Rs.43,40,000/- together with further interest at 12% per annum on the principal sum of Rs.35,00,000/- from the date of plaint till the date of realization to the plaintiff and along with interest 12% per annum;
- (b) directing the defendant to pay the cost of the suit; and
- (c) for such other reliefs as this Hon'ble Court may deemed fit and proper in the circumstances of the cases.

2. It is the case of the plaintiff that the defendant has executed a promissory note dated 07.12.2011, which was marked as Ex.P1. Thereafter, under Ex.P2 dated 02.04.2012 time was extended. Despite the same, the defendant has not

forthcoming to pay the plaintiff, Ex.P3 legal notice dated 08.03.2014 was sent to him. Ex.P4 is the postal acknowledgement card. Even thereafter, the defendant has not paid the amount, the present suit has been laid.

3. The defendant was set ex-parte on 13.07.2015. The plaintiff examined himself as P.W.1 and marked the documents Exs.P1 to P4.

4. On a perusal of the documents filed coupled with the evidence of P.W.1, this Court is satisfied that the suit is liable to be decreed as prayed for. Accordingly, the suit stands decreed as prayed for. No costs.

sd/.M.M.S.J
14.11.2016

//Certified to be a true copy//

Dated this the day of सत्यमेव जयते 2017.

S.s/10.03.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.