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CMP No. 601 of 2025
A.S.No.396 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2025

CORAM

**THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA
KURUP**

**C.M.P No. 601 of 2025 in
A.S.No.396 of 2024**

1. M/s.Balaji Finance Corporation (Regd)
Rep by its Manager P.Srinivasulu,
21, Kasi Chetty Street, Sowcarpet,
Chennai-600 079.

Appellant(s)

Vs

1. M/s.Faiz Poultry Farms
Rep. by its Partner Mr.Ibrahim,
Ground Floor No.312, GST Road,
Kadaperi, Nehru Nagar,
Tambaram West, Chennai - 045.

2. Mrs. Sajida Ibrahim
W/o. Md.Ibrahim,
5/3, De Monte Street,
Santhome, Mylapore,
Chennai-600 004

(Both the respondents/defendants were
set *exparte* in the trial court and have
not entered appearance before this
Honble Court also)



Respondent(s)

PRAYER

To receive the additional documents in the above appeal in AS No.396 of 2024.

For Appellant(s): A.M.O. Gurunarayana Rao

For Respondent(s):

ORDER

The name of the Respondent was printed in the cause list that no Counsel represented the Respondent. Learned Counsel for the Appellant was heard. In the course of the argument he had submitted that the calculation of the interest by the trial Court was not as per the agreed rate of interest as per the pro note executed by the Defendant in the suit in O.S.No.6725 of 2017. It is his further submission that the loan availed from the Plaintiff by the Defendant was for commercial purpose. When a query was raised by the Court whether the Plaintiff had filed document in support of his contention based on which the learned Judge had rejected the claim of interest as stated in the plaint.

2. The learned Judge had also observed that the Plaintiff had not filed documents to show that it was registered company. Also, the documents regarding loan transaction accepting the promissory note was not furnished as



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document before the trial Court. Even though, the Defendant remained exparte, the learned Judge exercising his discretion refused to order interest as claimed by the Plaintiff. Aggrieved by the refusal of interest only, the Plaintiff had preferred this Appeal. Therefore, this Court raised the same query. Under those circumstances, the Appeal sought to file additional documents to clear the doubt raised by the learned trial Judge in the light of the same, C.M.P No.601 of 2025 in A.S.No.396 of 2024 had been filed. Since the other side had remained exparte in the Appeal, even though, the name of the Defendant as Respondent was printed no Counsel was engaged by the Respondent. Therefore, the petition is allowed. Such document to be marked by the Appellant are marked as Ex.A-6 to Ex.A-9.

09-01-2025

Shl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To:

1. The IV Additional Judge,
City Civil Court, Chennai



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CMP No. 601 of 202
A.S.No.396 of 2



SATHI KUMAR SUKUMARA KURUP J.

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**C.M.P No. 601 of 2025 in
A.S.No.396 of 2024**

09-01-2025