

A.No.6716 of 2019
in C.S.No.277 of 2019

C.V.KARTHIKEYAN,J.

Even before proceeding with the averments made in the application, this Court should place on record its regret that on 10.03.2021, owing according to the information given by the Registry, the Court had noted that this application namely, A.No.6716 of 2019 which had been filed by the defendant to condone the delay of 51 days in filing the written statement, had been dismissed on 20.12.2019. The said statement recorded on 10.03.2021 is not correct. Both the learned counsel for the plaintiff and the defendant may therefore ignore that.

2.It is now brought to my attention that the said application is actually still pending. This is an application filed seeking to condone the delay of 51 days in filing the written statement.

3.In the affidavit filed in support of the said application, it had been stated that the suit summons was served on 19.06.2019. The plaintiff had also filed an Interlocutory Application seeking interim injunction and the

deponent stated that the defendant was concentrating on contesting the said Interlocutory Application. There was some difficulty in co-ordinating with their counsel in Chennai and there was a delay in collecting the details of prior cases and also in providing the details of such cases to their counsel.

In all aspects there is a delay in filing the written statement.

4. Heard the learned counsel for the plaintiff also.

5. In view of the fact that the reasons stated in the affidavit are plausible, the delay is condoned and the written statement filed by the defendant is taken on record. This Application is allowed.

19.03.2021
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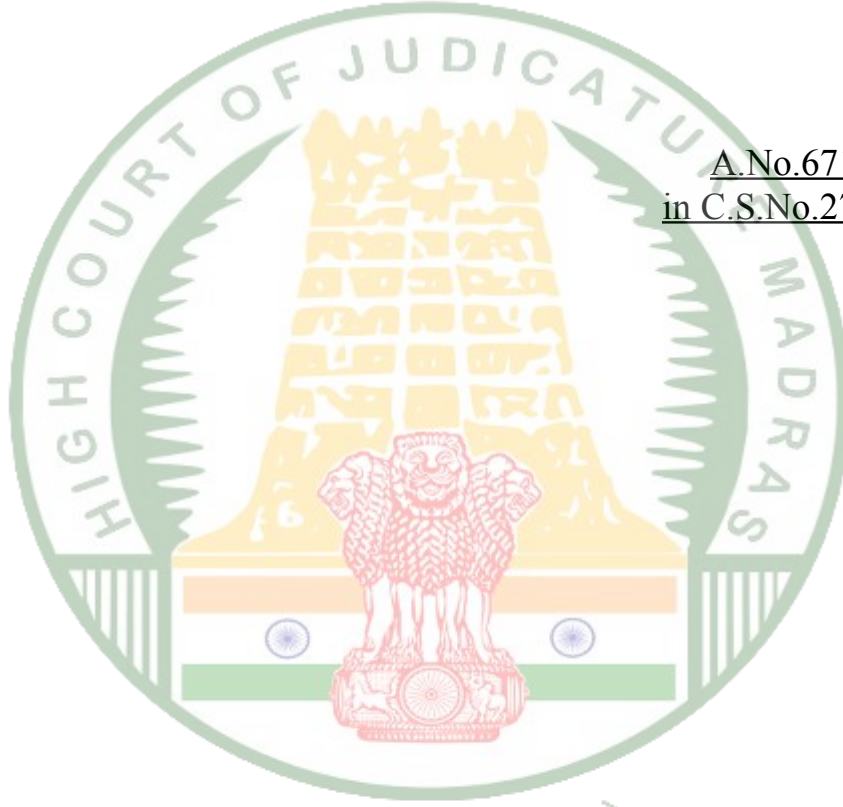
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