

A.Nos.1407 and 1408 of 2021
in C.S.No.741 of 2016
and A.Nos.350 to 352 of 2021

R.PONGIAPPAN, J.,

Application No.1407 of 2021 has been filed by the applicant / first defendant, praying to set aside the *ex parte* order dated 27.01.2021 in C.S.No.741 of 2016.

2. Today, when at the time the said application is taken up for hearing, the learned counsel appearing for the respondents appeared before this Court through Video Conferencing and made submission as the respondents are not having any objection in allowing this application.

3. Hence, in view of the same, this application is allowed.

Ex parte order dated 27.01.2021 passed by this Court, is set aside.

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4. Similarly, A.No.1408 of 2021 has been filed by the same applicant / first defendant, praying to condone the delay of 1488 days in filing the written statement of the first defendant in C.S.No.741 of 2016.

5. In respect to the said application also, the learned counsel appearing for the respondents would submit that the respondents are not having any objection in allowing this application. More than that, having regard to the nature of averments mentioned in the affidavit filed in support of the application and also in order to give a fair opportunity to the applicant to defend the suit, I am inclined to condone the delay.

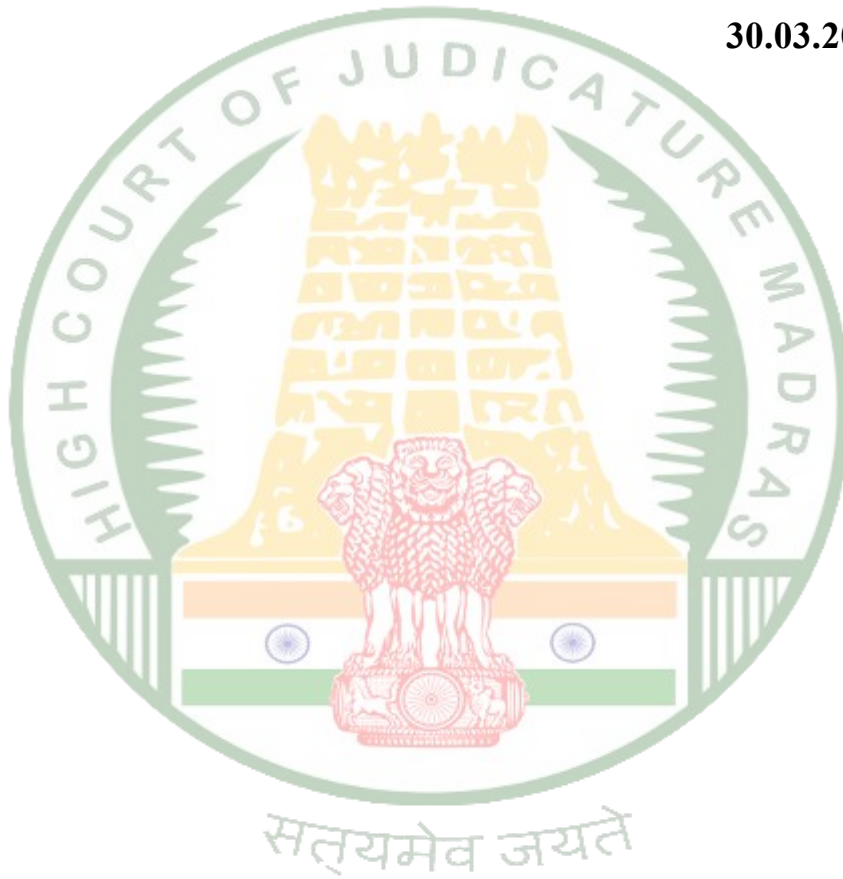
6. Accordingly, A.No.1408 of 2021, is allowed. Written statement filed by the first defendant, is received.

7. Further, on verification of records, it seems that on 01.03.2021 itself, the learned counsel appearing for the plaintiff has filed a Memo stating that the plaintiff has given up the 2nd defendant and no relief is prayed for against the 2nd defendant. The said Memo is recorded.

8. Post the matter on 21.04.2021, for filing counter affidavit in
A.Nos.350 to 352 of 2021.

30.03.2021

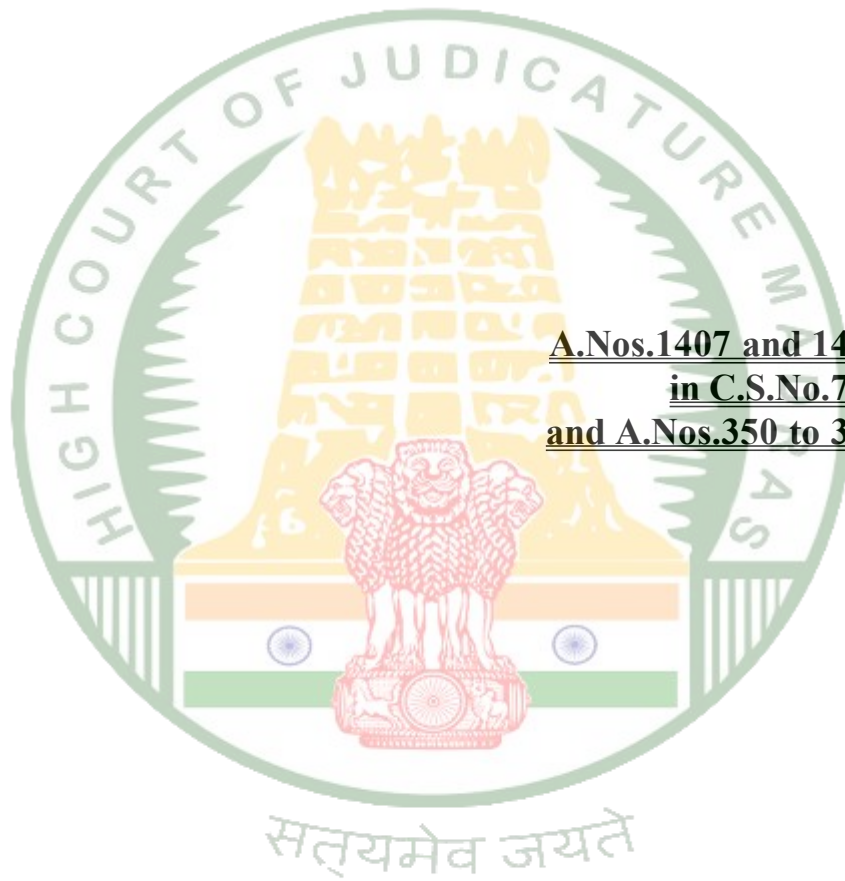
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