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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 24TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

A.No.1726 of 2021

in

C.S.No.185 of 2014

Mahendra Singh Dhoni,
Shaurya, H-10A,
Harmu Housing Colony,
Besides SBI Harmu,
Ranchi, Jharkhand – 834012.

... Applicant/Plaintiff

-Versus-

1.Zee Media Corporation Limited,
(Zee News Channel),
Essel Studio,
FC-19, Sector 16-A,
Noida – 201301,
Uttar Pradesh.

Also at:
Alpha Centre, Essel House,
Third Floor, No.150 & 151,
North Usman Road,
T.Nagar, Chennai – 600 017.

2.Mr.Sudhir chaudhary,
Editor and Business Head of Zee News Channel,
Zee Media Corporation Limited,
Essel Studio,
FC-19, Sector 16-A,
Noida – 201301,
Uttar Pradesh.

Also at:
Alpha Centre, Essel House,
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3.Mr.G.Sampath Kumar, IPS,
C/o The Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.

4.News Nation Network Pvt.Ltd.
(News Nation Channel)
Plot No.14, Sector 126,
Noida,
Uttar Pradesh 201 301.

... Defendants

A.No.1726 of 2021:-

Mr.Sudhir chaudhary,
Editor and Business Head of Zee News Channel,
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... Applicant/2nd Defendant

-Versus-

Mahendra Singh Dhoni,
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Harmu Housing Colony,
Besides SBI Harmu,
Ranchi, Jharkhand – 834012.

... Respondent/
Plaintiff

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4.News Nation Network Pvt.Ltd.
(News Nation Channel)
Plot No.14, Sector 126,
Noida,
Uttar Pradesh 201 301.

... Respondents/Defendants

Application praying that this Hon'ble Court be pleased to set aside
the ex-parte order dated 08.03.2021 passed against the 2nd Defendant in the
above C.S.No.185 of 2014.

This Application coming on this day before this Court for hearing
in the presence of Mr.Visva for M/s Muizz Ali, Advocate for the applicant
herein, and Mr.C.Seethapathy, Advocate for the 1st respondent herein, and
Mr.M. Vijayan for M/s King & Partridge for Advocate for the 2nd
respondent herein, and upon reading the judges summons and the affidavit
of Sudhir Chaudhary filed herein, **the court made the following order:**



This application is filed to set aside the exparte order dated 08.03.2021 passed against the 2nd defendant in C.S.No.185 of 2014 for not filing the written statement.

2. The learned counsel for the 2nd defendant informs the Court that the written statement indeed had been filed but the same was not returned by the Registry and it is lost. The Registry has given a note that the 2nd defendant had filed the written statement on 11.08.2014, that it came to be returned on 05.09.2014 and the same was not re-presented till date.

3. The learned counsel for the 2nd defendant would now submit that the said written statement was not physically available in the Registry for it to return to him and the learned counsel for the plaintiff makes a statement that the copy of the written statement has already been circulated to him.

4. This Court does not want to lose time on the same and the Registry is now directed to take steps to re-construct the said written statement.



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5. Accordingly, this application is allowed.

6. The Registrar Judicial is required to expedite the process of having the written statement of the 2nd defendant re-constructed.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
24th DAY OF AUGUST 2021.

Sd/-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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24.08.2021

A.No.1726 of 2021
in
C.S.No.185 of 2014

ORDER

DATED: 24.08.2021

THE HON'BLE MR.JUSTICE
N.SESHASAYEE

FOR APPROVAL: 24.08.2021

APPROVED ON : 24.08.2021

Copy to:-

- 1.The Registrar Judicial,
High Court, Madras.
- 2.The Sub Assistant Registrar, (O.S),
High Court, Madras.



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5. Accordingly, this application is allowed.

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Sd./-N.S.S.J.
24.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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