

A.No.2806 of 2020
in
C.S.No.651 of 2008

C.V.KARTHIKEYAN J,

This application has been filed seeking to condone the delay of 4228 days in representing the Written Statement.

2.In the affidavit filed in support of the said application, which had been filed by the junior counsel, it had been stated that the written statement was presented by the defendant on 18.12.2008. Subsequently, an affidavit to condone the delay in filing the written statement was filed independently. The clerk of the counsel filed another application to condone the delay in representation. However, both the affidavits were returned. Thereafter, the suit was not listed for hearing. In February 2020, when the said mistakes were found out, immediately, the papers were taken back from the registry and application to condone the delay in representing the written statement has been filed. It has been stated that the delay is neither wilful nor wanton.

C.V.KARTHIKEYAN J,

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3.Taking into consideration, the facts and circumstances, the delay in representing the written statement alone is condoned.

4.This application is allowed. No order as to Costs.

11.03.2021

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