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A.No.409 of 2022 in
CS.No.268 of 2019

P.VELMURUGAN, J.

This application has been filed to condone the delay of 764 days in filing the written statement in CS.No.268 of 2019.

2. The applicant/defendant should have filed the written statement within 30 days or with the leave of the Court within 90 days. However, the defendant failed to do so and the reason he stated in the affidavit filed in support of this application is that he is not in station to file the written statement in time. The said reason is not sufficient for this Court to allow this application.

3. However, in order to give opportunity to the applicant/defendant, this Court is inclined to allow this application and for the inconvenience caused to the plaintiff, this Court is inclined to impose cost on the applicant/defendant.



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4. Accordingly, this application in A.No.409 of 2022 is allowed on payment of cost of Rs.1,00,000/-. The applicant is directed to deposit a sum of Rs.1,00,000/- before the Registry to the credit of A.No.409 of 2022 in CS.No.268 of 2019 on or before 11.03.2022, failing which, the application shall stand automatically dismissed without any further reference.

5. On receipt of payment of cost from the applicant/defendant, Registry is directed to take the written statement of the defendant on file, if it is otherwise in order, which was filed along with this application to condone delay in filing the written statement.

6. Post the matter on 14.03.2022.

28.02.2022

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