



Appln.No.533 of 2022 in O.P.No.290 of 2021

KRISHNAN RAMASAMY.,J

This Application has been filed to set aside the exparte order dated 20.12.2021.

2. Heard the learned counsel appearing for the Applicant. Perused the records.

3. In the affidavit filed in support of this petition, it is stated that the daughter of the Applicant one Isaivani committed suicide on 17.12.2019 due to the torture committed by the Respondent and from that date the daughter of the deceased Isaivani was under the custody of the Applicant and thereafter the Respondent filed the above for permanent custody of the minor child. The Applicant states that she has no knowledge about the same and later she came to know that the said O.P. was allowed on 20.12.2021. It is further stated that in the O.P. the Respondent has filed an affidavit of service along with delivery report obtained through internet. In the delivery report, it is seen that notice has been sent to the Applicant and the same has been returned as "unclaimed", but no notice was served on her. The Applicant further states that she is interested to contest the O.P. Therefore, she has filed this Application to set

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aside the exparte order dated 20.12.2021 passed in O.P.No.290 of 2021.

4. Considering the reasons stated in the affidavit filed in support of this application and also considering the fact that applicant is interested to contest the O.P., in the interest of justice this Application is allowed.

5.Post the O.P. on 04.08.2022.

13.07.2022

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