



Application No.2134 of 2022 in
C.S.No.36 of 2019

KRISHNAN RAMASAMY.,J

This Application has been filed to condone the delay of 1114 days in filing the written statement and receive the same on record.

2. The learned counsel appearing for the Applicants submitted that the 1st Applicant lost her husband on 23.11.2017 and living with her minor son and the suit has been filed by her sister-in-laws in the year 2019 for declaring the release deed as null and void and also for partition. It is further submitted that due to Covid-19 Pandemic and also because of the reason that the 1st applicant applicant being a widow and living with her minor son was unable to file the written statement in time.

3. The learned counsel appearing for the Respondents submitted that the delay is huge and the Applicants have not furnished sufficient reasons for condonation of delay. However, he submitted that the delay can be condoned with costs.

4. Considering the fact that the 1st Applicant is a widow and the 2nd Applicant is a minor and the suit has been filed by the sister in laws of the 1st applicant, for cancellation of release deed which was executed during the life time of the husband of the 1st Applicant and also for partition, coupled with the fact that due to Covid-19 pandemic, she was not in a position to file written statement in time, this Court is inclined to condone the delay with costs.



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5. Accordingly, this petition is allowed on condition that the Applicants shall pay a sum of Rs.1,000/- (Rupees One Thousand Only) to the Legal Services Authority, Madras High Court, within a period of two weeks from the date of receipt of a copy of this order, failing which this order would stand cancelled automatically without further reference to this Court.

05.07.2022
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