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A.No.1959 of 2022 in
Tr.CS.No.61 of 2022

A.No.1959 of 2022 in
Tr.CS.No.61 of 2022 &
connected applications and petition

P.VELMURUGAN, J.

The application in A.No.1959 of 2022 has been filed to set aside the exparte decree dated 04.07.2018 passed in C.S.No.30 of 2012.

2. Though the reasons stated in the accompanying affidavit is not satisfied, in order to give an opportunity to the applicants to defend the suit, this Court is inclined to allow this application. Accordingly, this application is allowed. Since this application is allowed, all the connected applications and petition are closed.

3. The respondent/plaintiff is permitted to withdraw the amount deposited by the applicants/defendants 1, 3 & 4 which is lying to the credit of CS.No.61 of 2022.

4. Originally the suit was filed before the City Civil Court, Chennai and only to decide the applications viz., application to condone the delay of 479 days in filing an application to set aside the exparte decree dated



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04.07.2018 and application to set aside the exparte decree dated 04.07.2018,
the suit was transferred to the file of this Court.

4. Since both the applications are decided, Registry is directed to withdraw the suit from the file of this Court and transfer the same to the file of City Civil Court, Chennai and the City Civil Court, Chennai after verification of the file received from the Registry of this Court is directed to frame the issue and decide the same in accordance with law within a period of three months from the date of receipt of this suit papers.

29.04.2022

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