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A.No.3077 of 2022

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in
C.S.No.294 of 2021

C.V.KARTHIKEYAN,J.,

The application has been filed seeking to set aside the ex-parte order dated 20.04.2022 passed against the 1st and 2nd defendants.

2. The suit had been filed seeking partition and separate possession.

3. The 1st and 2nd defendants are also co-sharers who are entitled to seek a share in the property.

4. Heard the learned counsel for the plaintiff.

5. It is claimed that the plaintiff had spent substantial amounts in issuing notice and paper publication. Therefore, details of those expenditure may be produced by the plaintiff and at the time of passing the final decree and settling of accounts and shares among the parties, the 1st and 2nd defendants will have to necessarily bear with the expenditure incurred by the plaintiff in issuing notice through paper publication.



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6. Observing as above and also observing that the 1st and 2nd defendants are actually co-sharers, the application stands allowed. The ex-parte order, dated 20.04.2022 passed against the 1st and 2nd defendants is set aside.

08.11.2022

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