



WEB COPY



A.Nos.3276, 3277 of 2022

A.Nos.3276, 3277 of 2022
in C.S.No.131 of 2021

SENTHILKUMAR RAMAMOORTHY, J.

These two applications are presented by the defendants. A.No.3276 of 2022 is to condone the delay of 309 days in re-presenting the written statement. Learned counsel for the defendants states that the written statement was returned on 27.10.2021 during the period of limited functioning of the Court. Therefore, it is stated that the defendants were unaware that the written statement was returned. The plaintiff has no serious objection to this application being allowed. Upon examining the affidavit in support of this application and being satisfied that sufficient cause is shown, this application is allowed.

2. A.No.3277 of 2022 is filed for permission to exhibit the documents described in the schedule to the Judge's Summons. This application is opposed by the plaintiff on the ground that the defendants did not file any documents with their written statement although these documents were in the possession, power, control or custody of the defendants. The suit is at the pre-trial stage. The defendants stated in the affidavit in support of this application that parties



WEB COPY



A.Nos.3276, 3277 of 2022

SENTHILKUMAR RAMAMOORTHY, J.

rna

were in the process of endeavouring to resolve the dispute amicably and therefore this application could not be filed earlier.

3. Upon considering the above reasons and being satisfied that reasonable cause is shown, this application is allowed subject to the right of the respondent / plaintiff to file the affidavit of admission / denial in respect of these additional documents and also raise objections in course of trial *inter alia* on grounds of admissibility, relevance and proof. The parties are directed to file draft issues and the plaintiff is directed to file the affidavit of admission / denial in respect of the additional documents by the next date of hearing. List the matter on 22.08.2022.

08.08.2022

rna

A.Nos.3276, 3277 of 2022
in C.S.No.131 of 2021