



WEB COPY

A.No.4043 of 2022



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in
C.S.No.126 of 2019

C.V.KARTHIKEYAN, J.

This application has been filed seeking to condone the delay of 32 days in filing application to restore the suit, which was dismissed by an order dated 28.06.2022.

2. On.28.06.2022, the suit had been listed and since there was no appearance on behalf of the plaintiffs, a learned Single Judge had dismissed the Civil Suit for non prosecution.

3. On an earlier date on 14.06.2022, the delay of 405 days in filing the written statement had been condoned and the written statement was taken on record.

4. Heard the learned counsel who is contesting namely the 4th defendant also.

5. The cause of action for filing the suit still survives and requires adjudication.

6. Once a suit is filed and pleadings are completed, a burden is cast on the Court to answer the issues between the parties on merits.



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7. Short-circuiting the suit or passing ex-parte order or dismissing the suit would not be an effective disposal.

8. I would therefore condone the delay of 27 days in filing application to restore the suit. The petition stands allowed.

23.09.2022
(1/2)

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