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A.No.4278 of 2022

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in
C.S.No.278 of 2015

G.CHANDRASEKHARAN.,J

Application No.4278 of 2022 is filed to condone the delay of 2596 days in filing the written statement of Applicant/12th Defendant in the suit.

2. This application is posted today for filing counter of the respondent/plaintiff and disposal. However, the counter affidavit is not filed.

3. The learned counsel for the applicant submitted that the suit is filed for declaring the settlement deed dated 09.11.1990 as null and void and for the relief of partition. The learned counsel further submitted that of course there is a delay in filing the written statement, however, he submitted that except the applicant, the other defendants have not been served with the summons and service of summons is not completed.

3. In the said circumstances, this Court is of the view that the delay of 2596 days in filing the written statement is hereby condoned and the Registry is directed to receive the written statement of the 12th Defendant. The Registry is further directed to



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verify the service of summons to other defendants and post the matter after two weeks. The learned counsel appearing for D1, D2, D3, D9, D10 and D12 filed a Memo, adopting the written statement of D12 and it is recorded.

26.10.2022

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