



A.No.4587 of 2022 in C.S.No.63 of 2010

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C.S.No.63 of 2010

G.CHANDRASEKHARAN, J.

A.No.4587 of 2022 is filed to set aside the ex-parte order dated 20.09.2021 passed in the above suit in C.S.No.63 of 2010.

2.The learned counsel for the applicant submitted that the applicant had to go to his native place due to some personal commitments and not able to give necessary instructions to his counsel for preparing the written statement. Therefore, the applicant was set ex-parte for not filing the written statement. He was set ex-parte on 20.09.2021.

3.The learned counsel for the first respondent/plaintiff opposed this application on the ground that there is a huge delay of 4435 days in filing the written statement.

4.Considered the rival submissions and perused the records. Though the suit was filed in the year 2010, it appears that even issues have not been framed in this case. Only recently, defendants 1 to 4, 6 & 7 filed the written



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statement after condonation of delay in filing the written statement. In the said circumstances, this Court is of the view that in order to give an opportunity to the applicant to defend his case, the ex-parte order passed on 20.09.2021 can be set aside.

5.In this view of the matter, this application is allowed. Post the matter for framing of issues after two weeks.

sli

14.11.2022
(2/2)

G.CHANDRASEKHARAN, J.



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