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A.No. 4592 of 2022
IN
C.S.D.No. 116220 of 2021

C.V.KARTHIKEYAN, J.,

Heard Mr.R.Thiagarajan, learned counsel for the applicant.

2. The applicant had filed C.S.Diary No. 116220 of 2021. Registry had returned the same for certain compliances. There was a delay of 131 days in representing the plaint.

3. The applicant herein had filed Master summons before the Master seeking condonation of delay in representation.

4. The Master had directed notice and it is informed that the Master had stated that he would examine the *bona fide* of the claims made in the suit. It is always safe that the Court does not act as an Advocate either for the plaintiff or the defendant and find a new cause either in favour of the plaintiff or against the plaintiff or in favour of the defendant or against the defendant. It is for the contesting party to so put forward those points. If an application is filed seeking to condone the delay in representation, the reasons for the delay may be examined and thereafter, necessary orders may be passed.



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C.V.KARTHIKEYAN, J.,

vsg

5. Entering into a discussion on the merits of the suit may not be a proper approach. I would therefore set aside the order directing notice and direct the Master to once again take on file A.No. 3883 of 2022 and proceed in manner known to law on considering the reasons given for delay in representation and pass appropriate orders.

6. With the above direction, A.No. 4592 of 2022 is allowed.

Vsg

17.10.2022

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