



A.No.4870 of 2022
in
T.O.S.No.20 of 2020

G. CHANDRASEKHARAN, J.

WEB COPY

This application is filed to condone the delay of 243 days in filing the written statement of D6 and adoption memo of defendants 2-7,8 & 9 in the above T.O.S.No.20 of 2020.

2.The learned counsel for the defendants submitted that the sixth defendant has filed the written statement and the defendants 2, 3, 4, 5, 7, 8 & 9 are adopting the written statement of the sixth defendant. A separate memo is also filed in this regard.

3.The learned counsel for the respondent/plaintiff has no objection to allow this application.

4.It is seen from the submissions of the learned counsel for the applicants and also the reasons stated in the affidavit that the first defendant died on 27.01.2021. Even after knowing the death of the first defendant, plaintiff had not taken any steps to implead the legal heirs of the deceased first defendant. Defendants were under the assumption that the plaintiff will first implead the legal heirs of the deceased first defendant and thereafter, they should file the written statement. Some of the defendants are residing out of station. This attributed to the delay in filing the written statement.

5.Considering the reasons stated in the affidavit and having satisfied with the reasons stated, this Court allows this application and condones the delay of 243 days in filing the



written statement of the defendants 2 to 9. The written statement of sixth defendant and the adoption memo filed by the defendants 2, 3, 4, 5, 7, 8 & 9 are ordered to be received.

WEB COPY

6.The learned counsel for the plaintiff submitted that except one, all other legal heirs of the deceased first defendant are already on record and prays time to take steps for impleading the left out legal heir of the deceased first defendant.

7.Accordingly, this application is allowed. Post the matter after three weeks for taking steps by the plaintiff.

07.11.2022

sli



WEB COPY

A.No.4870 of 2022 in T.O.S.1



G. CHANDRASEKHARAN, J.

sli

A.No.4870 of 2022
in
T.O.S.No.20 of 2020