



A.No.4912 of 2022
in C.S.No.243 of 2020

C.V.KARTHIKEYAN, J.

This application has been filed seeking to condone the delay of 695 days in filing the written statement on behalf of the 1st, 2nd and 3rd defendants.

2. The written statement had actually been filed by the 1st and 2nd defendants and adopted by the 3rd defendant.

3. In the affidavit filed to explain the reasons it had been stated that the matter was referred to mediation and the mediation efforts failed and thereafter, since the 1st applicant was living in Australia, documents had to be collected and handed over to give necessary inspections to the counsel to prepare the written statement. It is stated that in the said process there has been a delay of 695 days.

4. The learned counsel had taken umbrage that the registry also had taking into consideration the periods covered under covid-19 pandemic and claimed that such period should not have been considered. But however, the learned counsel for the plaintiff has stated that the written statements can be taken on record, which is very mature statement.

5. Since the pleadings are required to adjudicate the issues, I would condone the delay without entering into any discussion about the calculation of the number of days including the covid period.



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6. The application stands allowed. The written statement of D1 and D2 and the adoption memo of D3 is taken on file.

11.11.2022
(1/2)

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