



WEB COPY

C.V.KARTHIKEYAN, J.

A.No.4858 of 2022

in

C.S.No.40 of 2022

This application has been filed seeking to condone the delay of 193 days in filing written statement.

2.The suit had been filed by a brother against his sister. The brother placed reliance on a will executed, granting him 3/4th share in the only property, which is the subject matter of suit. The defendant / sister is said to be entitled to the remaining 1/4th undivided share.

3.Though the suit summons had been served and from the date of receipt of the suit summons, the written statement should have been filed within a period of six weeks, there has been a delay of 193 days in filing the written statement.

4.It is stated that the husband of the defendant had required heart surgery to be performed and the applicant / defendant was involved with the medical needs of her husband. In view of that particular reason, there has been a delay in giving necessary instructions to her counsel. The reasons are acceptable.



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5.Heard the learned counsel for the respondent / plaintiff.

6.In view of the above reasons, this application is allowed and the delay is condoned. The written statement is to be taken on record.

02.11.2022

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