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A.No.5766 of 2022
in
C.S. No.492 of 2018

SENTHILKUMAR RAMAMOORTHY, J

The suit was filed for removal of the trustees of the third defendant Trust and to appoint new trustees. By this application, the first and second defendants seek condonation of delay of 925 days in filing the written statement of the first defendant and in accepting the adoption memo of the second defendant.

2. In the affidavit in support of this application, it is stated that attempts were made by the applicants to resolve the matter amicably by including the son of the first respondent as a trustee. According to the applicants, the first respondent initially accepted the offer but subsequently rejected the same which resulted in the delay in filing the written statement.

3. The reasons set out by the applicants for condonation of delay are not entirely convincing. At the same time, in the overall factual context, such delay is liable to be condoned on terms. Accordingly, this application is allowed subject to the payment of a sum of Rs.10,000/- (Rupees Ten



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Thousand only) as costs by the applicants/first and second defendants to the plaintiffs. Such payment shall be made within a maximum period of two weeks from today.

4. The Registry is directed to receive the written statement subject to the fulfillment of the above condition.

List on 03.02.2023.

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20.01.2023

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