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A.No.4690 of 2022
in C.S.No.687 of 1998

N.SESHASAYEE.J.,

In a suit for declaration of title and recovery of possession, the learned counsel for the defendants chose to be in a state of inaction and chose not to file the written statement. Suddenly from nowhere she was alerted by powers which only she knew to come before this Court, after she has been set exparte longtime back, to be precise, some 2862 days.

2.To set aside the exparte order, this application has been taken out. The learned counsel for the defendants added that the written statement has also been filed along with necessary application to condone an identical delay in filing the written statement.

3.This application is opposed by the plaintiffs. But inasmuch as it is only an exparte order, this Court considers it appropriate to grant an opportunity to the defendants to contest the suit but not without a penalty for his inaction.

N.SESHASAYEE.J.,

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4.This application is allowed, but on payment of cost of Rs.25,000/-, out of which, Rs.15,000/- (Rupees Fifteen Thousand only) is directed to be paid to the learned counsel for the plaintiffs and the remaining amount of Rs.10,000/- (Rupees Ten Thousand only) is payable to Sivananda Saraswathi Sevashram, No.20, Kambar Street, Tambaram, Chennai 600 059, Phone No.044-22391078.

5.Post the matter on 16.02.2023 under the caption “for reporting compliance”.

06.02.2023

Anu

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