



A.No.5340 of 2023 in

C.S.No.46 of 2023

N.SATHISH KUMAR.J

This application has been filed by the second defendant to condone the delay of 128 in filing the written statement.

2. The suit is filed for declaration and for partition of the suit properties.

3. Heard the learned counsel appearing for the applicants and the learned counsel appearing for the respondent.

4. Having regard to the nature of the allegations found in the affidavit with regard to the delay and in order to give a fair opportunity to the applicant to agitate its rights, I am inclined to condone the delay.

5. Accordingly, this application is allowed.

6. The registry is directed to post the main suit on 03.11.2023 for framing issues.

13.10.2023