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A.No.13 of 2023

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in C.S.No.252 of 2021

SENTHILKUMAR RAMAMOORTHY, J.

This application is filed by the first defendant in the suit to condone the delay of 405 days in filing the written statement. In the affidavit in support of this application, it is stated that the matter was referred for mediation and that the mediation was not successful. It is further stated that the applicant is entitled to the exclusion of the lockdown period on account of the Covid-19 pandemic.

2. The plaintiff opposes this application by referring to the multiple dates on which the suit was listed and the failure of the first defendant to file the written statement.

3. Upon taking into consideration the fact that the lockdown impacted life during part of the period and the matter was referred by this Court for mediation to the Mediation Centre annexed to this Court, the applicant has



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established sufficient cause to condone the delay. Accordingly, this application is allowed as prayed for. The Registry is directed to receive the written statement of the first defendant. Learned counsel for the second defendant seeks time to file an application to condone delay in filing the written statement.

4. List the matter on 15.02.2023.

25.01.2023

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