



A.No.808 of 2023
in Tr.C.S.No.22 of 2023

P.B.BALAJI, J.,

This application has been filed to set aside the exparte order dated 17.07.2017, setting the 37th defendant exparte in O.S.No.112 of 2016 and receive the written statement filed on his behalf.

2.The suit is still pending and the learned counsel for the plaintiff also fairly submits that he has no serious objection for setting aside the exparte order.

3.I have heard the learned counsel for the applicant and the learned counsel for the respondents.

4.I find that the suit has been initially filed before the District Court, Trichy and since been transferred to the file of this Court and in the interests of justice, the applicant is to be given an opportunity to contest the suit, especially, since there are connected Testamentary Original Suits pending as well as an administrative suit in C.S.No.22 of 2023 & 202 of 2021. This application is allowed and the exparte order dated 17.07.2017 in O.S.No.112 of 2016 is set aside and the written statement filed on behalf of the 37th defendant is taken on file.

11.06.2024
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