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A.No.2403 of 2024

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in C.S. No.597 of 2019

C.V.KARTHIKEYAN,J.

This application has been filed seeking to condone the delay of 1802 days in filing the written statement in C.S.No.597 of 2019 on behalf of D1, D2, D3, D6 and D9.

2. In the affidavit filed in support of the application, it had been stated that the defendants are not liable to pay any amount to the plaintiffs and that they had not received the suit summons. It is also stated that they came to know about the pendency of the suit only on seeing the paper publication on 10.10.2003. It is stated that the paper publication was actually effected in another suit and thereafter, immediately they had filed the written statement. It had also been stated that in the interregnum period, owing to Covid-19 Pandemic, the Supreme Court has also relaxed the time limit.

3. A counter affidavit has been filed on behalf of the plaintiffs, wherein it had been stated that the defendants were residing in the same address and they had evaded to receive the suit summons.



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4. However, taking into consideration the facts that it would only be appropriate that the defendants are permitted to contest the suit, the application stands allowed and the delay is condoned. The written statement filed on behalf of D1, D2, D3, D6 and D9 to be taken on record.

14.06.2024

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