



A.No.3341, 3342 & 2168 of 2024
in C.S.No.822 of 2012

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P.B.BALAJI, J.

The application in A.No.2168 of 2024 has been filed to condone the delay of 3009 days in filing the written statement on the side of the 1st defendant in C.S.No.822 of 2012.

2.Mr.S.Sridhar, learned counsel for the plaintiffs submits that the application can be allowed subject to putting the applicant on terms since the delay is more than 3000 days. I have also gone through the affidavit, besides hearing the learned counsel. The application is to be allowed in order to afford an opportunity to the applicant to contest the suit on merits. However, the applicant shall pay a cost of Rs.5000/- within ten days, to the learned counsel for the plaintiffs.

3.The learned counsel for the parties would submit that in view of the non filing of the written statement of the 1st defendant, the plaintiffs' first witness, namely P.W.1 was not cross-examined by the learned counsel for the 1st defendant and A.Nos.3341 & 3342 of 2024 have been filed to reopen the evidence of P.W.1 and recall P.W.1 to be cross-examined.

4.Considering that the written statement has now been received subject to putting the 1st defendant on terms, an opportunity should be given to the 1st defendant to cross-examine, P.W.1. These applications therefore also allowed.



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P.B.BALAJI, J.

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5.Post the matter before the Additional Master I and the cross-examination of P.W.1 by the 1st defendant shall be completed on or before 30.08.2024.

29.07.2024

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