



A.Nos.3502 and 3503 of 2024 in C.S. No.701 of 2013

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in

C.S. No.701 of 2013

P.VELMURUGAN,J.

These applications have been filed by the 2nd and 1st defendant to set aside the order of ex-parte dated 20.06.2024 passed in the present suit.

2. This suit is of the year 2013. Despite giving sufficient opportunity, since the defendants had not filed the proof affidavit and the case management schedule as directed by this Court vide order dated 10.06.2024, the defendants were set ex-parte by this Court on 20.06.2024.

3. Though after a period of 10 years the case management scheduled was fixed for trial, the parties are not co-operating to enter into the witness box and let in evidence.

4. Now the present applications have been filed by the defendants to



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set aside the ex-parte order and the learned counsel for the respondents/plaintiffs submits that she has no serious objection in allowing these petitions which shows that there is hand in collusion between the two counsel.

5. Always when a matter is posted for recording evidence, one way or other way, the learned counsel are not co-operating for recording evidence and not complying with the order of this Court. This kind of stage drama is going on. When one party is filing application, the other side counsel says no objection which also prolongs the trial.

6. Though the reasons stated in the accompanying affidavit are not satisfied, in order to give an opportunity to the defendants, these applications are allowed on payment of cost of Rs.10,000/- each. The said cost has to be paid by each of the applicant to the credit of "Advocate Clerks Association, High Court of Madras, Chennai", on or before 14.08.2024.



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7. List the matter on 16.08.2024 under the caption "for reporting compliance.

31.07.2024

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