



C.M.P.Nos.21066, 21067, 21068, 21070, 21071 and 21072 of 2023
in C.R.P.Nos.263, 266, 265, 267, 264 and 268 of 2015

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S.SOUNTHAR.J.,

These petitions are filed to condone the delay of 303 days in complying with the directions issued by this Court by order dated 27.08.2019 and to direct the Court below to take on file the written statement filed by the petitioner on 26.07.2022.

2. The petitioner herein filed the main civil revision petitions challenging the order passed by the Trial Court dismissing the application seeking leave to defend the suits filed by the respective respondents. The civil revision petitions were allowed by this Court on 27.08.2019 on condition the petitioner deposits a sum of Rs.1,25,000/- in each of the six suits before the Lower Court within a period of three months from the date of receipt of copy of the order.

3. It is seen from the affidavit filed in support of the condone delay petition and the remarks submitted by the Superintendent of CD Section and



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Current Section in pursuance of the order passed by this Court on 13.03.2024, the petitioner herein applied for copy of the order passed in the civil revision petitions in Copy Application SR.No.73627 on 28.08.2019. However, in the copy application, the petitioner mentioned the year of civil revision petition numbers wrongly as 2014 instead of 2015 and therefore, the copy application of the petitioner was not put up with the bundle, when the same was received by the Current Section. Thereafter, on 04.03.2022, upon the request made by the learned counsel for the petitioner, the copy application filed by her was transferred to CD Section on 04.03.2022. On receipt of copy application on transfer from Current Section, CD Section has given a new SR Number as 3891/22 and thereafter, processed the copy application. The same was issued to the petitioner on 08.03.2022. Thereafter, the petitioner deposited the amount as per the direction issued by this Court by way of Demand Draft before the Trial Court on 26.07.2022.

4. The learned counsel appearing for the respondents vehemently opposed these petitions on the ground that there is a discrepancy in the date of filing of copy of application and the SR number found in the order copy.



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5. It is the case of the respondents that copy application said to have been filed in the year 2019 and the SR Number given is of the year 2022. The discrepancy found with regard to the year of copy application and the year of CD number is due to the above mentioned facts as explained by the remarks submitted by the Superintendents of Current Section and Certified Copy Section.

6. The learned counsel for the respondents further submitted that even though the petitioner received the order copy on 08.03.2022, he said to have deposited the amount only on 26.07.2022 well beyond the period of three months granted by this Court.

7. The original copy application is also produced by the Certified Copy Section before this Court. A perusal of the same would suggest that the petitioner filed the copy application on 20.08.2019 itself and thereafter, it was transferred to CD Section on 04.03.2022.



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8. The period of three months granted by this Court expired on 08.06.2022, however, the amount had been deposited by the petitioner only on 26.07.2022. This Court already allowed the revisions by directing the petitioner to pay a sum of Rs.1,25,000/- in each of the six suits. The said order is complied with by the petitioner with a delay of 49 days.

9. In view of the fact the order has been complied by the petitioner by depositing the amount before the Trial Court, this Court is inclined to take a liberal approach and condone the delay in deposit of the amount. However, taking into consideration, the failure of the petitioner to follow up the case with due diligence, this Court is inclined to impose a cost of Rs.5,000/- each on the petitioner. Therefore, all the petitions to condone the delay in complying with the directions issued by this Court are allowed on condition that the petitioner makes a payment of Rs.5,000/- to the respective respondents within a period of two weeks from today in each of the petitions.

10. The cost imposed by this Court shall be paid by the petitioner to the learned counsel appearing for the respondents within a period of two weeks



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from today. Failing which, all the petitions shall stand automatically
dismissed without further reference to this Court.

11. In case of payment of cost within the time stipulated, the Trial
Court is directed to take on file the written statement filed by the petitioner on
26.07.2022 and proceed with the suits in accordance with law.

27.03.2024

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Note: Issue Order Copy on 3/4/2024

Copy to

The VII Assistant City Civil Court,
Chennai.



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27.03.2024