



A.No.5314 of 2024 in T.O.S No.8 of 1990

A.A.NAKKIRAN, J.

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This application has been filed by the applicants/proposed plaintiffs to condone the delay of 8033 days in filing the application to restore the T.O.S No.8 of 1990 which was dismissed for default on 25.07.2002 for non-prosecution.

2. Though private notice was served on the respondents 1 & 2/proposed defendants 1 & 2, they had not chosen to appear before this Court. Hence the respondents 1 & 2/proposed defendants 1 & 2 are called absent and set exparte.

3. Considering the facts and circumstances of the case and, in the interest of justice, by giving an opportunity to the applicants/proposed plaintiffs to prosecute their case on merits, this Court is inclined to condone the delay of 8033 days in filing the restoration application, by imposing cost.

4. Accordingly, this application is allowed on condition that the applicants/proposed plaintiffs pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the **Chief Justice Relief Fund, High Court, Chennai** on or before 04.12.2024. In the event of failure on the part of the applicants in paying the said amount within the stipulated time, this application shall stand dismissed automatically without any further reference to this Court.

27.11.2024

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A.A.NAKKIRAN, J

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