



WEB COPY

A NO. 2564 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**A No. 2564 of 2025**

**in C.S.No.345 of 2019**

M.S.Chandrasekar Alias Kevin Chandrasekar  
S/o.Late K.Muthusamy, No.4/28, Muthu Solai Street, Taylors  
Road, Kilpauk, Chennai 10 Now Residing at No.8/2, Mandabam  
Road, 1st Street, Kilpauk Garden, Chennai 600 010.

Applicant(s)

Vs

K.HARIKRISHNAN and 3 others  
S/O.S.KABALI No.14, Ramakrishnapuram 5th Street, Mylapore,  
Chennai 600 004. and 3 Others

Respondent(s)

**For Applicant(s):** Mr.G.Jeremiah

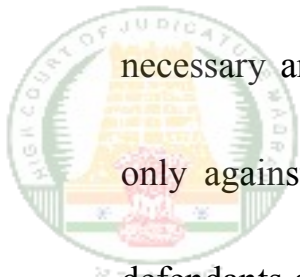
**For Respondents :** Mr.E.Senthil Kumar for R1  
for M/s.Sampath Kumar & Associates

Mr.I.Kowser Nissar

### **ORDER**

The present application has been filed to condone the delay of 1128 days in filing the application to set aside the *ex-parte* decree 22.03.2022 made in C.S.No.345 of 2019 against the first defendant.

2. A Memo had been filed indicating that the first and second defendants to the suit are not



necessary and proper parties as no prayer has been sought for against them. ' r is

only against the third and fourth defendants. According to him, the first and the second

defendants are the vendors of the property in favour of the plaintiff upon which he has filed

the instant suit as the owner of the property.

3. Hence, the learned counsel appearing for the plaintiff would submit that the suit against the first and second defendants shall be given up by the plaintiff and would seek liberty of this Court to summon them if necessary to substantiate the case of the plaintiff.

4. The said Memo is taken on record. In view of the said Memo, this Court is of the view that the present application need not be adjudicated upon as the plaintiff had given up the suit as against the first and second defendants and hence, the application stands closed.

**28-07-2025**

**Gba (1/2)**