



WEB COPY

A No. 2056 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

A No. 2056 of 2025 in

T.O.S. No.89 of 2024

Dr.M.A.Bhageerathi
W/o. N.Kanakasabesan and D/o. Late
M.S.Anantharaman, at GF2, Coronet
Castle No.7/16, Marvadi Tottam,
Mylapore, Chennai 600 004.

Applicant(s)

Vs

1. M.A.Sundareswaran
S/o.Late M.S.Anantharaman, Old No.7,
New No.12, Thiyagarajapuram, Near
Madava Perumal Temple, Mylapore,
Chennai 600 004.

2.M.A.Krishnaswamy
S/o.Late M.S.Anantharaman,
No.110/36, Apparswami Koil Street,
Mylapore, Chennai 600 004.

Respondent(s)



WEB **PRAYER**

To condone the delay of 76 days in filing the Written Statement of the Defendants in T.O.S.No.89 of 2024.

For Applicant(s): M/s.B. Arvind Srevatsa

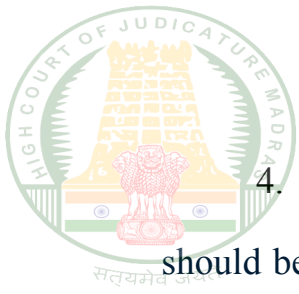
For Respondents: Mr.K.V. Sundararajan

ORDER

This Application has been filed seeking to condone the delay of 76 days in filing the Written Statement on behalf of the defendant.

2. In the affidavit filed in support of this application it had been contended that suit summons was served on 08.01.2025 and that the Written Statement should have been filed on or before 22.01.2025. But, however, owing to the advanced age of the applicant and since she had to travel overseas between 12th January 2025 and 26th March 2025, there was some delay in giving instructions to prepare the written statement.

3. Heard the learned counsel for the plaintiff, who claims that the reasons would not be sufficient to condone the delay.



4. In a Testamentary and Original Suit, the primary focus for the plaintiff should be to prove the validity and execution of the will, regardless of whether the defendant is represented or not.

5. In view of the fact that the reasons stated are probable, the delay is condoned. The application is allowed. No costs.

17-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. M.A.Sundareswaran
S/o.Late M.S.Anantharaman, Old No.7,
New No.12, Thiagarajapuram, Near
Madava Perumal Temple, Mylapore,
Chennai 600 004.

2.M.A.Krishnaswamy
S/o.Late M.S.Anantharaman,
No.110/36, Apparswami Koil Street,
Mylapore, Chennai 600 004.



WEB COPY

A No. 2056 of 2025



C.V. KARTHIKEYAN, J.

bga

**A No. 2056 of 2025 in
T.O.S. No.89 of 2024**

17.06.2025

(1/2)