



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **27.10.2025**

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

A No.5197 of 2025

in

C.S.No.272 of 2024

1.I.Abu Huraira
2.Al Fathima

Applicants/Defendants 1 & 3

Vs.

S.Gul Mohamed

Respondent/Plaintiff

For Applicant(s): Mr.G.V.Sridharan

For Respondent(s): Mr.Ralph V. Manohar

ORDER

This application has been filed to set aside the ex parte order passed against the applicants / defendants 1 and 3 dated 21.04.2025 in C.S.No.272 of 2024.



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2. In the affidavit filed in support of the application, it had been stated that the defendants 1 and 3 were served on 07.12.2024 and the written statements ought to have been filed within six weeks from the date of receipt of summons. The summons were misplaced by them while travelling. Thereafter, due to non-filing of the written statement, the suit was listed under the caption 'for Un defended Board' on 02.04.2025. On that date, there was no representation for the defendants and they were set aside. Therefore, this application has been filed to set aside the exparte order.

3. There is no objection on the side of the respondent / plaintiff for allowing this application.

4. Considering the facts and circumstances of the case and in order to give fair opportunity to the applicants / defendants 1 and 3 to defend their case, this application is allowed.

27.10.2025

smv



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P.DHANABAL,J.
smv

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