



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 16.06.2025

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THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

A.No.4433 of 2024
in C.S.No.176 of 2016

Mr P Ragavesh and another
No.8/42, Maharaja Surya Road, Alwarpet, Chennai 18.No.8/42, Maharaja
Surya Road, Alwarpet, Chennai and another ... Applicants
-vs-

Punjab National Bank and 5 others
Nungambakkam Branch, Rep.by Chief Manager, N.No.9,
Nungambakkam High Rd. Ch-34No.8/42, Maharaja Surya Road,
Alwarpet, Chennai and 5 Others ... Respondents

For Applicants : Mr.Dilip R.Misser
for M/s.Ravi Meenakshi Sundaram

For Respondents : M/s.Jayanthi K.Shah for R2, R5 & R6
Mr.S.Arun Kumar
for M/s.M.L.Ganesh for R1

ORDER

By this application, the 6th and 7th defendants seek to set aside the order dated 11.12.2023 setting such defendants *ex parte*. In the affidavit in support of the application, it is stated that the 6th defendant is a non-



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executive director of the company and that the 7th defendant has resigned as the director of the company within three days of appointment. They further state that their father, the 4th defendant, underwent kidney transplant and bypass surgery. Therefore, it is stated that the 4th defendant could not file the written statement and they could not adopt the same.

2. Learned counsel for the plaintiff submits that the application is belated and that sufficient cause has not been shown.

3. The order dated 11.12.2023 records that suit summons were served on the 4th to 7th defendants on 05.05.2016. Although the applicants have provided an explanation, such explanation is not wholly satisfactory. Consequently, this application is allowed subject to payment of costs of Rs.10,000/- (Rupees Ten Thousand only) to the plaintiff within *two weeks*.

**16.06.2025
(1/2)**

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