



A.No.5212 of 2025
in C.S.No.165 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-11-2025**

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

A NO. 5212 of 2025

IN

CS NO. 165 OF 2024

Mr.Kandalam Thygarajan Praveen
Partner, M/s Urban Habits Meta, New No.191,
Old No.44, St.Marys Road, Alwarpet, Chennai
- 600 018.

Applicant(s)

Vs

Vijay Kishan Jhaver
No.18/19, Bawa Road, Alwarpet, Chennai 600
018.

Respondent(s)

For Applicant(s): Ms.Chandini Pradeep

For Respondent(s): M/s.Menon for R1
R2 to R4 notice served in C.S.165/2024
- No appearance

ORDER

This application is filed by the applicant / second defendant to condone the delay of 338 days in filing the written statement and the counter claim before this Court in defending the rights of the applicant /



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second defendant in C.S.No.165 of 2024.

2. According to the applicant, there is a delay of 338 days in filing the written statement and the counter claim to the plaint before this Court. The delay has occurred in view of the fact that he was based out of Bengaluru and was unable to sign the necessary documents in time, and therefore, required necessary time for compliance with procedural formalities.

3. According to the respondents, it is not a genuine reason to file the present application. The applicant had already filed two applications before this Court to dismiss the suit for non-joinder of necessary parties and therefore, he had very well approached this Court with previous applications. Therefore, the reason stated in the application is not acceptable.

4. Considering the above said rival submissions made by the



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parties and considering the number of days delay and in order to give fair chance to the defendants to defend the case to meet the ends of justice, this application is allowed.

5. Accordingly, this application is allowed and the delay of 338 days in filing the written statement and the counter claim before this Court, is hereby condoned.

06.11.2025

(2/4)

mtl



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P. DHANABAL, J.

mtl

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