



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

A.No.533 of 2025
in C.S.Nos.505 of 2008

Mrs.R.Padmavathy
W/o.J.Ravi, No.5/408, Ambedhkar Street, Kenalpuram,
Perungudi, Chennai 600 096.

... Applicant

-VS-

Shahul Hameed and another
S/o.Late Pothaigani, No.7, Bharathiyar Street,
Saidapet, Chennai 600 015. and another

... Respondents

For Applicant : Mr.S.Prem Balaji

For Respondents : Mr.M.Ajmal Azzath

ORDER

By this application, the second defendant seeks condonation of the delay of 4664 days in filing the written statement. The first and second defendants are husband and wife. The application filed by the first defendant to condone the delay of 4064 days in filing the written statement was allowed by order dated 09.01.2024 in A.No.6647 of 2023.

SENTHILKUMAR RAMAMOORTHY,J



rna

WEB COPY 2. In the affidavit in support of this application, it is stated that a common counsel had been engaged by both the defendants earlier. In view of differences between them, it is stated that the second defendant has engaged a different counsel. The second defendant also states that the hearing on 22.11.2024 could not be attended on account of ill-health.

3. The reasons set out in the affidavit are not entirely convincing. Nonetheless, as discussed above, the application of the first defendant to condone the delay of 4064 days was allowed. As regards the second defendant, the length of delay is 4664 days and the application was filed after draft issues were filed. Therefore, subject to payment of a sum of Rs.15,000/- as costs by the second defendant to the plaintiff, this application is allowed. Costs shall be paid within *two weeks* from the date of receipt of a copy of this order. The Registry is directed to receive the written statement of the second defendant subject to compliance with this condition.

21.03.2025
(1/2)

rna

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