



WEB COPY

A No. 5419 of 202
C.S.No.117 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

**A No. 5419 of 2025 in
C.S.No.117 of 2024**

1. M/s Vikram Bike Zone Private Limited
Regd. Office No.465/1B, 466/1A2, (Aavin Diary
Opp) Agasipalli Village, Agaharam Post,
Krishnagiri, Tamil Nadu - 635 001.
Represented By Its Managing Director
Mrs. M.Shanthi.
2. K J V Vikramadhitan
3. M.Shanthi
4. B.Kumar

..Applicant(s)

Vs

M/s Dhana Captial And Finance Limited
Represented By Its Director N.R.D. Premkumar,
No.11, N.R.D. Towers, 100 Ft.Road, Ashok
Nagar, Chennai - 8.

..Respondent(s)

Prayer :

Application filed under Order XIV Rule 8 of High Court Original Side
Rules read with Section 5 of Limitation Act, 1963 to condone the delay of 13
days in filing the above application in C.S.No.117 of 2024.

For Applicant(s): Mr.M.Mohamed Afridi

For Respondent(s): Mr.M.Asokaa



ORDER

This application has been filed by the applicants/defendants to condone the delay of 13 days in filing the present application to set aside the exparte decree passed against the applicants.

2. According to the applicants, they are defendants in the main suit and the plaintiff has filed the suit for recovery of money. Due to the non-appearance of the applicants, exparte decree was passed on 23.06.2025 and on the said date, the applicants were unable to appear before the Court due to their family circumstances and financial position. Therefore, prayed to condone the delay of 13 days and allow this application.

3. Per contra, the learned counsel appearing for the respondent/plaintiff would submit that there are no sufficient reasons stated in the application and the suit was decreed exparte and now, the respondent is taking steps to transfer the execution proceedings in E.P.No.133 of 2025 before the District Court, Krishnagiri for the execution. At this stage, only to delay the proceedings, the present application has been filed, thereby pleaded to dismiss the application.

4. Heard the learned counsel on either side and perused the documents placed on record.



5. Considering the reasons stated in the affidavit filed in support of the application and the number of days delay in filing the present application for setting aside the exparte decree passed against the applicants and also to give a fair chance to the applicants, this petition is allowed. Registry is directed to number the application to set aside the exparte order dated 23.06.2025, if it is otherwise in order.

17-12-2025

ssd



WEB COPY

A No. 5419 of 202
C.S.No.117 of 2



P.DHANABAL, J.

ssd

**A No. 5419 of 2025 in
C.S.No.117 of 2024**

17-12-2025