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A.No.6118 of 2025
in C.S.No.146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

A NO. 6118 of 2025

in CS NO.146 OF 2025

1.V.Premkumar

2.S.Vasagar

3.Amuthamani

4.Priyadharshini

5.Lingesh

.. Applicants

Vs.

P.Advikaa (Minor)

D/o.V.Premkumar

Rep.by her mother and natural

Guardian M.Surumbar Khuzhali

.. Respondent

PRAYER : This application is filed under Order XIV Rule 8 of O.S.Rules and Section 5 of Limitation Act r/w Order V Rule 5 of O.S.Rules to condone the delay of 64 days in filing the written statement of D1 to D5 in the above suit.

For Applicants : Mr.M.Karthikeyan

For Respondent : M/s.FX.Eugene

ORDER

This application is filed by the applicants / defendants to condone the delay of 64 days in filing the written statement of D1 to D5.

2. According to the applicants, they are the defendants in the main suit and the respondent/plaintiff filed a suit for partition. The defendants are not



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P. DHANABAL, J.

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residing at the address as stated in the plaint. Therefore, they came to know about the existence of the suit only at the time of mediation proceedings in the matrimonial case. Therefore, they have no knowledge about the case and were unable to file the written statement.

3. The other side has no objection in allowing this application.

4. Considering the reasons stated in the affidavit filed in support of this application and also 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 64 days in filing the written statement, is hereby condoned.

08.12.2025
(1/2)

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