

ITEM NO.4                      Court 10 (Video Conferencing)                      SECTION XII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 7493/2021

(Arising out of impugned final judgment and order dated 08-11-2019 in CRPNPD No. 4280/2013 passed by the High Court Of Judicature At Madras)

KANDASAMY

Petitioner(s)

VERSUS

P. RAGHUNATHASAMY

Respondent(s)

(FOR ADMISSION and I.R. and IA No.106690/2021-CONDONATION OF DELAY IN FILING and IA No.106693/2021-EXEMPTION FROM FILING O.T. and IA No.106692/2021-APPROPRIATE ORDERS/DIRECTIONS )

Date : 04-10-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH  
              HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)    Mr. V. N. Subramanian, Adv.  
                                      Ms. Anzu. K. Varkey, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Delay condoned.

This Special Leave Petition is against the refusal to set aside the ex-parte decree passed under Order 9 Rule 13. According to the petitioner, it was filed with a delay of 36 days in the year 1999 itself in which year the ex-parte decree was passed. In the order dated 13.08.2013 passed by the District Munsif, Dharapuram, it is mentioned that the petitioner claiming ignorance of the passing the ex-parte decree came forward with the application only

in the year 2006. When this was pointed out to the learned counsel for the petitioner, he would point out that this is only a mistake and the application was indeed filed in the year 1999.

Issue notice returnable on 22<sup>nd</sup> of October, 2021.

(JAGDISH KUMAR)  
COURT MASTER (SH)

(RENU KAPOOR)  
BRANCH OFFICER