

I.A.No.6/2023
in
IA.No.3/2022
in
O.S.No.72/2020

Dated: 25.06.2024

Order pronounced

Heard the petitioner and the counter of the 7th respondent perused. The 11th to 14th respondents called absent and set exparte on 24.04.2024. As the main suit filed by the petitioner/plaintiff is seeking for partition and declaration and as it is submitted that the said R3/D3 died, who is the own brother of the plaintiff, his legal heirs are necessary parties in deciding the present partition suit. Though in the counter filed by the 7th respondent/7th defendant submits that the reason for delay of 65 days is unbelievable, this court is of the considered opinion that in order to give a fair hearing to the legal heirs, the delay of 65 days may be condoned on condition that the petitioner should pay a cost of Rs.

500/- to be District Mediation Centre Nagercoil within a week.

In default to comply with the condition, the IA is to stand dismissed automatically. For reporting compliance call on 3.07.2024.

Sd/-
Subordinate Judge
Eraniel