

CMP.No.80 of 2016 in SA.SR.78511 of 2002

S.NAGAMUTHU, J.

Seeking to restore CMP.SR.No.81185 of 2010 in CMP.No.5895 of 2004 in SA.SR.No.78511 of 2002 which stands rejected automatically on account of the fact that the petitioner did not take back the returned appeal papers as returned by the Registry, the petitioner has come up before this Court with this petition.

2. The Registry has not filed any counter. There is no representation for the Registry.

3. Having regard to the explanation offered by the petitioner in the affidavit filed in support of the petition and having regard to the fact that on a technical ground of delay, the valuable right of the parties cannot be deprived of, I am inclined to allow this petition.

4. In the result, the petition is allowed and CMP.SR.No.81185 of 2010 is restored to file.

08.01.2016

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