

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.07.2019

CORAM

THE HONOURABLE MR.**JUSTICE T.RAJA****CMP.No.22766 of 2017 in CMSA.SR.No.69582 of 2017**

K.Lakshmi

.. Petitioner

vs.

R.Gopalakrishnan

.. Respondent

Petition has been filed to condone the delay of 1593 days in filing the Civil Miscellaneous Second Appeal against the judgment and decree dated 17.12.2012 made in H.M.C.M.A.No.4 of 2010 on the file of the I Additional District and Sessions Judge, Vellore in HMOP.No.67 of 2001 on the file of the Subordinate Judge, Vellore.

For Petitioner : Mr.D.Parvendhan

For respondent : No appearance

JUDGMENT

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This Petition has been filed seeking to condone the delay of 1593 days in filing the Civil Miscellaneous Second Appeal against the judgment and decree dated 17.12.2012 made in H.M.C.M.A.No.4 of 2010 on the file of the I Additional District and Sessions Judge, Vellore in HMOP.No.67 of 2001 on the file of the Subordinate Judge,

T.RAJA, J.,

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2. Heard the learned Counsel for the petitioner. I have also perused the affidavit filed in support of the petition.

3. Finding no reasons to condone the delay, this Court has also posed a question to the learned Counsel for the petitioner the reason for such a huge delay of 1593 days, but he has simply stated that the petitioner was unaware of the judgment and decree dated 17.12.2012 made in H.M.C.M.A.No.4 of 2010 by the learned I Additional District and Sessions Judge, Vellore. But this Court is of the view that the said statement is utterly false for the reason that the petitioner was a party to the said proceedings and she has also contested the case heavily before that Court. Hence, finding no sufficient cause to condone the delay of 1593 days, I am not inclined to condone the delay of 1593 days.

4. In the result, the Condone Delay Petition is dismissed. Consequently, connected Civil Miscellaneous Second Appeal is rejected.

02.07.2019

Index : Yes/No
Internet: Yes/No
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