

C.M.P.No.12924 of 2017 in C.M.A.No.SR41387 of 2017

T.RAJA, J.

This civil miscellaneous petition has been filed to condone the delay of 69 days in filing the appeal against the decretal order dated 14.3.2016 passed in P.O.P.No.176 of 2013 by the learned Principal District Judge, Erode.

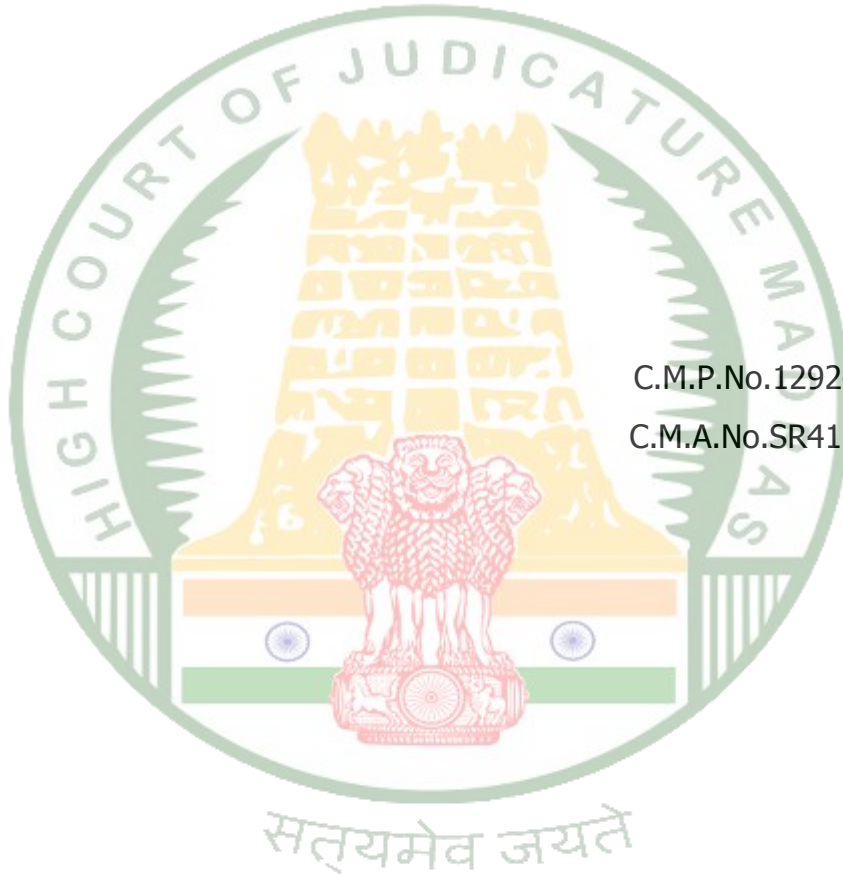
2. The petitioner was running a silk cotton ginning factory in the name and style of Sri Venkatasalapathy Traders. Due to a fire accident that took place on 11.1.2005, the entire premises were reduced into ashes. Finally, he has claimed damages and compensation. He has also moved an application to declare him as a pauper. When the petitioner was made to run as a pauper in view of the fire accident that has gutted the entire factory, the prayer for declaring the petitioner as pauper, cannot be refused. As against the impugned order, the petitioner was indeed unable to even file appeal by contacting his counsel. In the meanwhile, there has been a delay.

3. Although service is completed, no one has entered appearance on behalf of the respondents.

4. As the petitioner was running a silk cotton ginning factory and all the stocks and factory premises were also reduced into ashes, he moved an application for declaring him as pauper. But this was also refused. Therefore, the short delay of 69 days being sufficiently explained is condoned.

27.06.2019

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