



C.M.P. No.5136 of 2020 in C.M.A. SR. No.91999 of 2019

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T.RAJA, J.
and
D.BHARATHA CHAKRAVARTHY, J.

(Order of this Court was delivered by T.RAJA, J.)

This petition has been filed to condone the delay of 25 days in preferring the appeal against the order dated 27.04.2012 passed by the Family Court, Salem in F.C.O.P. No.420 of 2012, refusing the prayer for grant of decree for divorce.

2.Learned counsel appearing for the petitioner would submit that after the Family Court has passed the decretal order and judgment dated 27.04.2019, the copy of the order was made ready only on 26.06.2019 and the same was immediately sent to the counsel for the petitioner in the High Court. But, due to reasons beyond his control, the short delay of 25 days had occurred, which is neither willful nor wanton. Therefore, the delay may be condoned, failing which, the petitioner would put to grave prejudice.



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3.Learned counsel appearing for the respondent has no serious objection in allowing this petition, since it is a short delay in preferring the appeal.

4.In view of the no objection raised by the learned counsel appearing for the respondent, we are inclined to allow this petition. Accordingly, the delay is condoned and this petition stands allowed.

5.Registry is directed to list the matter next week 'for admission'.

(T.R.,J.) (D.B.C.,J.)

19.11.2021

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