

C.M.P.NO.14489 of 2020
in
S.A.SR.No.35168 of 2020

KRISHNAN RAMASAMY, J.,

This Miscellaneous Petition is filed to condone the delay of 5 days in filing the second appeal against the decree and judgment passed in A.S.No.89 of 2011 on 21.01.2019 by the learned Subordinate Judge, Kanchipuram confirming the Decree and Judgment passed in O.S.No.102 of 2006 on 15.09.2011 by the learned Additional District Munsif, Kanchipuram.

2.Heard the learned counsel appearing for the petitioners.

3.This Court ordered notice to the respondents. Notice has been served to the second respondent and notice has been returned in respect of respondent Nos.1 and 3 stating that no such person and no such door number.

4.On perusal of the affidavit, it is seen that the delay is only five days in filing the second appeal. The delay was due to handing over of the appeal papers in the last day of the limitation period, thus there was a delay in preparing the appeal.

5.Since notice has been served on the second respondent, none appeared on behalf of the second respondent.

KRISHNAN RAMASAMY, J.,

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6. Being satisfied with the reasons stated in the affidavit filed in support of the petition, the delay of 5 days in filing the above second appeal is condoned and the CMP is ordered.

12.03.2021

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