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C.M.P.No.15142 of 2021
in S.A.SR.No.72189 of 2021

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P.T.ASHA, J.,

This petition is filed to condone the delay of 270 days in filing of the appeal.

2. Heard the learned counsel for the petitioner/appellant and the learned Additional Government Pleader appearing for the respondents 2 and 3.

3.A memo has been filed by the appellant today stating that since the 5th respondent had remained *ex-parte* in the suit and in the appeal, he is not a necessary party to be in the present proceedings and the proceedings may be dismissed as against him. The memo has been taken on file and recorded the same.

4.Other respondents though served have not entered appearance.

5.Dr.S.Suriya, learned Additional Government Pleader appearing for the respondents 2 and 3 would submit that the delay is inordinate and prayed for dismissal of this petition.



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6.However, sufficient reasons have been given in the affidavit filed in support of the petition, the delay is condoned. Accordingly, the petition is allowed.

7. The Registry is directed to number the appeal, if it is otherwise in order and list the same for admission.

sp

04.08.2022
($\frac{1}{2}$)

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