



C.M.P. Nos. 14935 & 14936 of 2022 in
C.R.P. No. 3275 of 2012

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C.M.P. Nos. 14935 & 14936 of 2022
in
C.R.P.No.3275 of 2012

T.V.THAMILSELVI, J.

These Civil Miscellaneous Petitions have been filed to condone the delay of 116 days in preferring the petition to restore the C.R.P. No. 3275 of 2012, and to set aside the order dated 03.07.2019, which was dismissed for default by this court.

2. Today, when the matter taken up for hearing, both learned counsel for petitioner and the learned counsel for 1st respondent appeared.

3. The learned counsel for Revision Petitioner would submit that due to the ill-health of the petitioner, he has not contacted his counsel on record to represent the above case, however, due to no representation on 03.07.2019, the above C.R.P. was dismissed for default. Thereafter, he has taken steps to restore the C.R.P., but there is a delay of 116 days in filing the petition. The delay is neither willful nor wanton, but only due to the above facts. Hence, he filed these petitions to condone the delay as well as to set aside the order dated 03.07.2019.



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4. Mr.N.Subramani, learned counsel appearing for 1st respondent appeared and he has raised his formal objections.

5. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit filed in support of the petitions, this Court is inclined to allow these petitions to condone the delay of 116 days and to set aside the order dated 03.07.2019 passed by this Court and also to restore the above Civil Revision Petition.

6. Post the matter on 04.11.2022.

26.10.2022

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