



C.M.P.No. 6727 of 2023
in
A.S. SR. No. 84077 of 2022

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 204 days in payment of deficit court fee of Rs.36210 in A.S.SR.No. 84077 of 2022 before this court.

2. Mr.S.Sudhakar, learned counsel for revision petitioner submitted that as the petitioner is having only a meagre source of income, he is unable to pay necessary court fee. However, the clerk of counsel on record paid only a sum of Rs.90/- at the time of filing the above said appeal in order to avoid the delay in filing the appeal. Now, only after mobilising the money, he has paid the relevant court fee before this court. Hence, there is a delay of 204 days in filing the above C.R.P. and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.

3. Ms.Usha Raman, learned counsel for respondent appeared and raised his formal objections in allowing this petition.

4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one. Accordingly, this court is inclined to allow this petition and Registry is directed to number the Appeal Suit if it is otherwise found to be in order.

29.03.2023

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