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C.M.P. No. 16996 of 2023
in A.S.No. 172 of 2017

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A.S.No. 172 of 2017
T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 280 days in representation.

2. Mr.Anand Sashidharan, learned counsel for petitioner/4th appellant submitted that the petition to bring on record legal heirs and the accompanying affidavit was filed on 17.11.2021, which was returned for certain compliance within 10 days. He would submit that previous counsel on record filed this petition and subsequently, the present counsel on record came on change of vakalat. Hence, they were unable to receive the returned petition for compliance of returns and they have received the typed set of papers only recently. In view of the same, there is a delay of 280 days in representing the petition arose and the delay is neither willful nor wanton. Therefore, he filed this petition to condone the delay in representing the petition.

3. Mr.Abdul Saleem, learned counsel for respondents 2,5 to 7 appeared and raised formal objections in allowing this petition.



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4. Considering the facts and circumstances, and the reasons stated by the petitioner seems to be justifiable one, this court is inclined to allow this petition.

5. Post the matter on 18.09.2023.

11.08.2023

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