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C.M.P. Nos. 13251 & 13254 of 2019
in A.S.SR.Nos.35294 & 35295 of 2019

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T.V. THAMILSELVI, J.

These Civil Miscellaneous Petitions have been filed seeking to condone the delay of 408 days in filing the above appeals.

2. Mr.R.Muralidharan, learned counsel for appellant submitted that the trial court decreed the suit on 29.04.2017 and a copy applications for obtaining the certified copies of judgment and decree were filed on 16.06.2017, which were made ready on 18.12.2017 and the same were received on 18.12.2017 itself. However, the judgment and decree copies were mingled with other bundles, it could not be traced out and only recently, the same were traced out. Hence, there is a delay of 408 days in filing the above appeal arose and the delay is neither willful nor negligent. Therefore, he filed this petition to condone the delay in filing the above appeal.

3. Mr.R.Rajavelavan, learned counsel for respondents 1 to 6 appeared and raised his objections stating that within time, they have not filed copy applications and only belatedly, they have filed the same. Hence, he prayed to dismiss the above petitions.



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4. Considering the facts and circumstances and also considering the reasons assigned by the petitioner in the affidavits seems to be justifiable one, this court is inclined to allow these petitions. Registry is directed to number the Appeals immediately if it is otherwise found to be in order and post the matters on 13.07.2023.

26.06.2023

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