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C.M.P. No. 12171 of 2023
in A.S.SR.No.40206 of 2023

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 48 days in filing the above appeal.

2. Mr.S.Shanmugam, learned counsel for appellant submitted that the copy application for certified copy of judgment and decree was filed on 07.10.2022 and the same was made ready on 14.11.2022, which was received on 15.11.2022. While being so, the petitioner's wife delivered a child on 05.12.2022 and as he is the only person to take care of her, he attended her needs and assisting them till date. Hence, he unable to instruct his counsel to prepare appeal in time. However, there is a delay of 48 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.



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3. Considering the facts and circumstances and also considering the reasons assigned by the petitioner in the affidavit seems to be justifiable one, this court is inclined to allow this petition. Registry is directed to number the Appeal immediately if it is otherwise found to be in order and post the matter on 30.06.2023.

20.06.2023

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