



C.M.P.No. 12061 of 2023

in

A.S. SR. No. 105491 of 2022

T.V. THAMILSELVI, J.

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This petition has been filed seeking to condone the delay of 92 days in payment of deficit court fee of Rs.36,500/- in the above appeal A.S.SR.No. 105491 of 2022 before this court.

2. Mr.S.Thiruvengadam, learned counsel for petitioner submitted that the above appeal was returned on 19.10.2022 for certain compliance. He would submit that as there was a requirement to clarify the valuation and the court fee to be paid, the papers could not be represented within time. Hence, there is a delay of 92 days arose in payment deficit court fee of Rs.36,500/- while representing the papers on 22.12.2022 and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.

3. 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.

26.06.2023

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