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C.M.P.No.20646 of 2023
in
AS.(SR).No.89977 of 2023

G.K.ILANTHIRAIYAN, J.

This petition has been filed to condone the delay of 1537 days in filing the appeal suit against the Judgment and Decree made in O.S.No.63 of 2017 (P.O.P.76/2016) on the file of II Additional District Court, Salem.

2. The respondents 1 and 2 herein filed a suit for compensation for the death of their son. Their son was found to be died near the electric post. Therefore, the respondents 1 and 2 herein lodged a complaint and the same was registered in Crime No.498 of 2015 under Section 174 Cr.P.C. However, the said FIR was closed as “Further Action Dropped”. Therefore, the accident had occurred not on the fault of the defendants in the suit. The suit was filed as against TANGEDCO and revenue authorities. The petitioner herein is representing a Panchayat. Therefore, the defendants in the suit are no way connected with the accident and they are not the reason for the demise of the plaintiffs' son.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is ordered.

4. Registry is directed to number the appeal suit, if it is otherwise in order.

18.12.2023

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