



C.M.P.No. 19470 of 2023

in

A.S. SR. No. 1046 of 2012

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 366 days in representing the above appeal.

2. Mr.S.Parthasarathy, learned senior counsel for petitioner submitted that the registry returned the papers on 16.08.2022 for certain compliance. However, due to the inadvertent mistake of the counsel on record and the clerk attached to his office, the returned papers got mixed up with the disposed bundles while they shifted their office and the same could not be traced. Only recently, they traced out the papers and filed the present petition. In view of the same, there is a delay of 366 days arose in representing the above appeal 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 seems to be justifiable one. Accordingly, this court is inclined to allow this petition. Registry is directed to number the above Appeal if it is otherwise found to be in order and also directed to number the petitions filed to condone the delay of 1 day in setting aside the



abatement caused due to the death of 2nd petitioner vide

C.M.P.SR.Nos.84850, 84851 and 84852 of 2022 if it is otherwise found to

be in order and post the matters on 18.09.2023.

4. Registry is further directed to delink the C.M.P.No. 20175 of 2018 from this appeal suit.

24.08.2023

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3

T.V. THAMILSELVI, J.

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