



C.M.P.Nos.5845 & 5846 of 2017

in

S.A. Nos. 765 & 766 of 2014

T.V. THAMILSELVI, J.

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These Civil Miscellaneous Petitions have been filed seeking to restore the above Second Appeals, which were dismissed for default on 10.03.2017.

2. Mr.B.Gopalakrishnan, learned counsel for petitioners/appellants submitted that the learned erstwhile counsel got elevated and the very next junior also left the office long back, the counsel on record not able to follow the proceedings and the listing of above appeals were not brought into notice of him. Hence, he unable to appear before this court on the date of hearing on 10.03.2017. Accordingly, the second appeals were dismissed for default on that day. Accordingly, he has filed the above petitions to restore the above S.A.s within time.

3. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit filed in support of the petitions seeking to restore the Second Appeal, this Court is inclined to allow these petitions and to restore the second appeals.

4. Post the matters on 21.09.2023.

24.08.2023



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