



CMP No.18662 of 2022

process of law. Though it was decreed by the Trial Court, the same was reversed by the First Appellate Court. Aggrieved by the same, the petitioner seeks to file the second appeal.

3. It is seen that the petitioner is the tenant and the respondent is the landlord. When the respondent restricted the petitioner, the petitioner filed a suit for bare injunction. Now, he is also facing eviction proceedings by the respondent herein.

4. That apart, a perusal of the affidavit filed in support of the condone delay petition reveals that after obtaining the decree, the respondent filed an appeal suit. After allowing the appeal suit and dismissal of the suit, settlement talks were going on between the petitioner and the respondent. However, that was not ended in favour of the petitioner and as such, there was a delay of 805 days in filing the second appeal.

5. Admittedly, the petitioner is the tenant and he is facing eviction proceedings initiated by the respondent herein. Therefore, the reasons stated in the affidavit cannot be believed one and there is



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absolutely no reason for the huge delay of 805 days in filing the second appeal. Therefore, this Court is not inclined to condone the delay of 805 days in filing the second appeal.

6. Accordingly, this Civil Miscellaneous Petition stands dismissed. The SA.SR.No.9414 of 2022 is rejected at SR stage itself.
No costs.

20.02.2023

Index :Yes/No

Internet :Yes/No

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G.K.ILANTHIRAIYAN, J.
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in
SA SR.No. 9414 of 2022

20.02.2023