



C.M.P. No. 20320 of 2022
in A.S.SR.No. 125564 of 2022

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 165 days in filing the above appeal against the judgment and decree dated 07.10.2021 made in O.S.No.609 of 2012, on the file of learned IV Addl. District and Sessions Judge, Coimbatore.

2. Challenging the decree passed by the trial judge in O.S.No.609 of 2012, which was decreed partly in favour of plaintiff. Against which, he preferred an appeal. But, due to illness, he could not file appeal in time and there is a delay of 165 days arose in filing the appeal. Notice served on the respondent and the same was returned unserved with an endorsement “insufficient address”. Now, the petitioner/appellant filed this petition to condone the delay in filing the above appeal.

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. Registry is directed to number the Appeal if it is otherwise found to be in order and post the matter on 20.06.2023.

21.04.2023

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