



C.M.P. No. 22533 of 2023
in A.S.SR.No. 132422 of 2022

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 179 days in filing the above appeal against the judgment and decree of learned Principal District Judge, Tiruppur in O.S.No.446 of 2019 dated 25.10.2021.

2. Mr.J.Franklin, learned counsel for appellant submitted that he was a medical practitioner and at the time of receiving the copy of judgment, he was engaged in Covid-19 treatment and vaccination camps. Hence, he could not concentrate or even think about the filing of appeal in the above case. However, there is a delay of 179 days in filing the above appeal arose and the delay is neither willful nor wanton. Therefore, he filed this petition to condone the delay in filing the above appeal.

3. Mr.I.Abrar Md. Abdullah, learned counsel for respondents 2 to 5 raised strong objections stating that delay has not been properly explained. Hence, he prayed to dismiss this petition.

4. Considering the facts and circumstances, and the reasons stated by



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the petitioner that since it is a Covid-19 pandemic period, he was engaged in Covid-19 treatment and vaccination camps as such is justifiable one. Accordingly, this court is inclined to allow this petition on condition that the petitioner shall pay a cost of Rs.2000/- to the learned counsel for respondent and the same was paid by the petitioner's counsel to him today itself. Registry is directed to number the Appeal immediately if it is otherwise found to be in order.

20.04.2023

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