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C.M.P. No.14038 of 2024
in C.M.A. SR. No.1817 of 2024

C.M.P. No.14038 of 2024
in
C.M.A. SR. No.1817 of 2024

M.SUNDAR,J.,
and
N.SENTHILKUMAR, J.,

(Order of the Court was made by M.SUNDAR, J.)

Read this in conjunction with and in continuation of earlier proceedings made in the listing on 18.07.2024 (first listing) which reads as follows:

'C.M.P. No.14038 of 2024
in
C.M.A. SR. No.1817 of 2024
(Filing Number)

M.SUNDAR,J.,
and
K.GOVINDARAJA THILAKAVADI, J.,

(Order of the Court was made by M.SUNDAR, J.)

Captioned 'Civil Miscellaneous Petition' ('CMP' for the sake of brevity) namely, CMP No.14038 of 2024 has been filed with 'Condonation of Delay' ('COD' for the sake of brevity) prayer qua 16 days delay in filing captioned 'Civil Miscellaneous Appeal' ('CMA' for the sake of brevity) namely, C.M.A. SR. No.1817 of 2024.

2. Adverting to paragraph No.3 of support affidavit, learned counsel submits that illness of petitioner is the reason.



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3. *Issue notice to the respondent returnable in six weeks i.e., returnable by 29.08.2024. Private notice is also permitted.*

4. *List on 29.08.2024.'*

Thereafter, there was one listing on 29.08.2024 and the matter was re-notified.

2. Be that as it may, today, the sole respondent has been duly served and Mr.Adarsh Subramanian, learned counsel for sole respondent is before us. As regards the petitioner, Ms.R.Divyapreathika, learned counsel on record for petitioner is before us.

3. Ms.R.Divyapreathika, learned counsel for petitioner adverting to paragraph 3 of the support affidavit reiterates that the reason of the petitioner is reasonable (as captured in paragraph 2 of our 18.07.2024 proceedings).

4. Learned counsel for respondent opposed the request on the ground that the reasons are not adequate. However, given the nature of the matter, in the facts and circumstances of the case and considering the trajectory the matter is taking, we are inclined



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to accept the reason for delay inter-alia by saying that the reason is not inadequate as contended. Sequitur is, CoD prayer is acceded to. Further sequitur is, captioned CMP is ordered as prayed for. There shall be no order as to costs.

(M.S.J.) (N.S.J.)
05.09.2024

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**M.SUNDAR,J.,
and
N.SENTHILKUMAR, J.,**

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05.09.2024