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C.M.P.No.4931 of 2024
in A.S (SR) No.61834 of 2023
(Filing Number)

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

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

When the matter was taken up, Mr.B.Jawahar, learned counsel on record for petitioner submits that the captioned 'Civil Miscellaneous Petition' ['CMP' for the sake of brevity] is with a prayer for 'Condonation of Delay' ['CoD' for the sake of brevity] qua filing captioned first appeal but unfortunately CoD qua delay in re-presentation has been filed as a support affidavit.

2. Learned counsel for petitioner sought leave of this Court to withdraw the captioned CMP but made a plea that the rights of the petitioner may please be preserved for coming up with same CoD prayer on the same cause of action and with a proper / correct affidavit. Request acceded to.

3. Be that as it may, endorsement made by learned counsel in the case file is as follows:



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The petitioner may be
permitted to withdraw
his petition with liberty
to file fresh petition
for same prayer and for the
same cause of action

[Signature]
4/3/2024
C. for Petition

4. In the light of the narrative thus far, captioned CMP is disposed of as closed/withdrawn albeit preserving the rights of the petitioner to file a petition for CoD in filing captioned first appeal in A.S (SR) No.61834 of 2023 with a proper affidavit. If the petitioner files such a petition afresh, the Registry shall process the same notwithstanding the withdrawal of captioned CMP.

Captioned CMP disposed of as closed/withdrawn albeit preservation of rights in the aforesaid manner.

[M.S.,J.] [K.G.T.,J.]

04.03.2024

gpa



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