



WEB COPY



C.M.P. No. 2312 of 2024
in S.A.SR.No.165879 of 2023

C.M.P. No. 2312 of 2024
in
S.A.SR.No.165879 of 2023

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 157 days in filing the above Second Appeal against the judgment and decree dated 01.03.2023 passed in A.S.No.84 of 2016, on the file of VII Addl. City Civil Court at Chennai reversing the judgment and decree passed in O.S.No.11209 of 2010 dated 19.08.2015 on the file of XVI Asst. City Civil Court, Chennai.

2. Mr.Mohammed Uduman, learned counsel for appellant submitted that as the certified copies of judgment and decree passed were not available, the same was obtained and thereafter, due to illness as well as due to lack of communication, the appellants are not able to contact their counsel and only during the first week of December 2023, he gave instructions to file the Second Appeal. However, there is a delay of 157 days in filing the above second appeal arose, which is neither willful nor wanton. Therefore, he filed this petition to condone the delay in filing the above second appeal.



C.M.P. No. 2312 of 2024
in S.A.SR.No.165879 of 2023

WEB COPY

3. Considering the facts and circumstances, and the reasons stated by the petitioners in the affidavit seems to be justifiable one and also the fact that the petitioners are senior citizens, aged about more than 60 years, this court is inclined to allow this petition. Registry is directed to number the Second Appeal if it is otherwise found to be in order and post the matter on 11.11.2024.

05.11.2024

rpp



WEB COPY



C.M.P. No. 2312 of 2024
in S.A.SR.No.165879 of 2023

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 2312 of 2024
in
S.A.SR.. No. 165879 of 2023

05.11.2024