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C.M.P.No.4760 of 2024
in A.S (SR) No.13273 of 2021

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(Filing Number)

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

(Order of the Court was made by K.GOVINDARAJAN THILAKAVADI.J.,)

The above Civil Miscellaneous Petition is filed to condone the delay of 180 days in filing the above first Appeal against the judgment and decree dated 11.06.2019 passed in L.A.O.P.No.70 of 2016 by the Subordinate Judge, Ponneri.

2. Mr.C.Selvaraj, learned Additional Government Pleader for the petitioner/appellant submitted that the petitioner, who is a Tahsildar was holding various post in different places and was transferred from Tiruvallur Collectorate to TIDCO Petroleum Park, Chennai as Special Tahsildar (during the month of July 2020) and only after joining the post, the Tahsildar found that LAOP papers / documents pertaining to the above LAOP case were mixed up with other documents and immediately contacted the Government Pleader Office to file the appeal against the judgment and decree of the LAOP Court, which caused the



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delay of 180 days in filing the appeal. In the support affidavit, the same averments were made in paragraph 11 and the same reads as follows:

“11. I humbly submit that I was promoted as Tahsildar on 01.02.2015. I further submit that subsequent to my promotion as Tahsildar I was holding various post in different places. Also I was transferred fro Tiruvallur Collectorate to TIDCO Petrochem Park, Chennai as Spl.Tahsildar (LA) during the month of July-2020. I further submit that after joining the said post and at the time of verifying the pending files, I found that the LAOP records pertaining the above LAOP case papers/documents was mixed up with the other files. Immediately after verifying the records I had contacted the Government Pleader office for filing of appeal against the judgment and decree of the LAOP in the lower Court.”

3. Considering the facts and circumstances of the case, having satisfied with the above reasons given in the support affidavit and also considering the fact that the delay is only due to administrative reasons, we are inclined to condone the delay.

4. Accordingly, this petition is allowed and the delay of 180 days in filing the first Appeal is condoned. There shall be no order as to costs.

Registry is directed to number the appeal if it is otherwise in order.

gpa

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

04.03.2024



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