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C.M.P.No.7860 of 2024

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in
CMA (SR) No.37808 of 2020

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

[Order of the Court was made by
K.GOVINDARAJAN THILAKAVADI, J.,]

Captioned Civil Miscellaneous Petition has been filed to condone the delay of 713 days in paying the deficit Court fee in C.M.A.SR.No.37808 of 2020 which is directed against the order dated 02.12.2019 passed in M.C.O.P.No.157 of 2012 by the II Court of Small Causes, Chennai.

2. The learned counsel for the petitioner/appellant submits that due to his ill-health and also due to financial crisis, the petitioner was unable to pay the Court fee in time.

3. The aforesaid reasons are disputed by the learned counsel for the respondents and learned counsel would submit that the reasons set out in the support affidavit are neither reasonable nor sufficient to condone the delay. The learned counsel would further submit that the present petition



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can be allowed on payment of cost to compensate the respondents herein.

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4. However, considering the facts and circumstances of the case and the fact that ill-health of the petitioner and financial crisis have been cited as the reasons for the delay, we deem it appropriate to allow the application.

5. Accordingly, this Civil Miscellaneous Petition is allowed and the delay of 713 days in paying the deficit Court fee is condoned.

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

[M.S., J]

[K.G.T., J]

30.04.2024

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