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C.M.P.No. 11885 of 2024
in
S.A. SR.No. 18266 of 2020

T.V. THAMILSELVI, J.

Challenging the judgment and decree passed in A.S.No.26 of 2014, the petitioner preferred the above Second Appeal, however there is a delay of 1316 days in representing the above second appeal arose. Hence, the present petition has been filed to condone the delay in representing the second appeal.

2. Mr.T.M.Hariharan, learned counsel for petitioner submitted that the above Second Appeal was returned for rectifying certain defects on 01.10.2021 and were represented on the same day and the client could not be contacted during the covid period, the papers were once again returned on 01.11.2021, however, the copies of the plaint, written statement to file the typed set of papers were not available. Since there was dislocation in the office of the counsel on account of covid pandemic, it could not be traced. Thereafter, after due search, it was forwarded, however, there is a delay of 1316 days arose in representing the above second appeal and the said delay caused is neither willful nor wanton, but for the above said



reasons. Accordingly, he has filed the above petition.

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3. Considering the facts and circumstances and on considering the reasons stated by the petitioner in the affidavit, to give one more opportunity to the petitioner, this court is inclined to allow this petition on condition that the petitioner shall pay a cost of Rs.1500/- payable to the District Legal Services Authority, Vellore within a period of one week from today and on such deposit, Registry is directed to number the above Second Appeal if it is otherwise found to be in order and post the matter on 25.06.2024.

12.06.2024

drl

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