



C.M.P.No.7855 of 2024

C.M.P.No.7855 of 2024
in
Appeal (CAD).SR.No.142621 of 2023
(Filing Number)

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

[Order of the Court was made by M.SUNDAR. J]

Ms.N.Jayashree, learned counsel of M/s.Swaminathan Law Associates (Law Firm) for petitioner is before this Court.

2. Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 05.04.2024, which reads as follows:

'Captioned 'Civil Miscellaneous Petition' ['CMP' for the sake of brevity] has been filed with a 'Condonation of Delay' ['COD' for the sake of brevity] prayer. COD prayer is qua 35 days delay in filing the captioned appeal being Appeal (CAD) SR.No.142621 of 2023.

2. Ms.Karthick Priya of M/s.Swaminathan Law Associates (Law Firm) for the petitioner/appellant is before this Court.

3. The reason for delay has been articulated in paragraph No.4 of the support affidavit and the same reads as follows:

'4. I humbly submit that there has been a delay of 35 days in filing the Appeal which may kindly be condoned and the reason for the delay is that the case



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bundle had got mingled with the other case bundles in my Advocate's Office and the said delay is neither wilful nor wanton but for the aforesaid reason.....'

4. Issue notice to all six respondents returnable by 26.04.2024. Private notice permitted.

5. List on 26.04.2024.'

3. In the listing of captioned matter on 05.04.2024, notice to all six respondents was ordered. As per the cause list, private notice has been duly served on all six respondents, names of all six respondents are shown in the cause list, respondents have neither chosen to enter appearance through a lawyer nor make any representation today.

4. Owing to the innocuous nature of the prayer and the factual matrix of the case on hand, this court deems it appropriate to consider the matter on merits.

5. Considering the facts and circumstances of the case and the manner in which the parties are circumstanced, we are inclined to accept the aforementioned reason stated in paragraph 4 of the support affidavit and accede to the CoD prayer.

6. Captioned CMP is ordered as prayed for. Delay condoned.



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[M.S., J]

[K.G.T., J]

30.04.2024

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



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