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C.M.P. No. 8102 of 2024
in S.A.SR.No.42303 of 2024

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 19 days in filing the above Second Appeal against the judgment and decree dated 15.09.2023 passed in A.S.No.23 of 2018, on the file of III Addl. District and Sessions Court, Vellore @ Tirupattur confirming the judgment and decree passed in O.S.No.77 of 2006 dated 24.07.2018 on the file of Principal Subordinate Court, Tirupattur.

2. Mrs.V.Srimathi, learned counsel for appellant submitted that due to illness and also due to appellant's age factor, he was not able to contact his counsel and only during the fourth week of March 2024, he gave instructions to file the Second Appeal. However, there is a delay of 19 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.

3. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit seems to be justifiable one, 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 20.11.2024.

08.11.2024

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