



C.M.P. No. 9587 of 2024
in S.A.SR.No.18187 of 2024

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 141 days in filing the above Second Appeal against the judgment and decree dated 08.12.2023 passed in A.S.No.06 of 2019, on the file of Sub-Court at Arni confirming the judgment and decree passed in O.S.No.24 of 2005 dated 26.09.2018 on the file of District Munsif Court, Arakkonam.

2. Mr.K.Venkatasubban, learned counsel for petitioner submitted that the counsel, who had appeared on behalf of him in the lower appellate court had applied the order coy belatedly on 05.02.2024, due to which, there is a delay of 141 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. Mr.T.P.Prabakaran, learned counsel for 1st respondent appeared and raised formal objections to allow this petition.



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4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one and to give one more opportunity, 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 04.07.2024.

27.06.2024

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