



WEB COPY



C.M.P. No. 12513 of 2024
in S.A.SR.No.109454 of 2023

C.M.P. No. 12513 of 2024
in
S.A.SR.No.109454 of 2023

T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 128 days in filing the above Second Appeal against the judgment and decree dated 23.09.2022 passed in A.S.No.84 of 2019, on the file of Addl. Sub-Court at Virudhachalam modifying the judgment and decree passed in O.S.No.86 of 2009 dated 01.02.2019 on the file of I Addl. District Munsif Court, Virudhachalam.

2. Mr.G.Surya Narayanan, learned counsel for appellant submitted that on obtaining the certified copies of judgment and decree in the month of January 2023, it was found that the cause title was not updated as per amended plaint. Thereafter, after carrying out the correction in the copy of the judgment, it was presented to the present counsel for filing the above appeal. Hence, there is a delay of 128 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.



C.M.P. No. 12513 of 2024
in S.A.SR.No.109454 of 2023

WEB COPY

3. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one. Accordingly, 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 05.07.2024.

26.06.2024

rpp



WEB COPY



C.M.P. No. 12513 of 2024
in S.A.SR.No.109454 of 2023

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 12513 of 2024
in
S.A.SR.. No. 109454 of 2023

26.06.2024