



WEB COPY



C.M.P. No. 14474 of 2024
in S.A.SR.No.55698 of 2024

C.M.P. No. 14474 of 2024
in
S.A.SR.No.55698 of 2024
T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 153 days in filing the above Second Appeal against the judgment and decree dated 11.08.2023 passed in A.S.No.17 of 2023, on the file of III Addl. District Judge, Vridhachalam confirming the judgment and decree passed in O.S.No.15 of 2016 dated 29.07.2022 on the file of Principal Subordinate Court, Vridhachalam.

2. Mr.S.Balaji, learned counsel for appellant submitted that as the appellant was under the bonafide impression that as the order copy was received and the appeal was filed in time, but subsequently he came to know, it was not filed. Furthermore, since the earlier copy application filed was struck off, the period from the date of order had to be taken into account. As such, there is a delay of 153 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. Notice served on the respondent Commissioner, Municipality Office, Vridhachalam, but there is no representation on their side. 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 18.11.2024.

08.11.2024

rpp



WEB COPY



C.M.P. No. 14474 of 2024
in S.A.SR.No.55698 of 2024

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 14474 of 2024
in
S.A.SR.. No. 55698 of 2024

08.11.2024