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C.M.P. No. 16326 of 2024
in S.A.SR.No.23217 of 2024

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 10 days in filing the above Second Appeal against the judgment and decree dated 10.07.2023 passed in A.S.No.75 of 2012, on the file of Sub-Court at Poonamallee confirming the judgment and decree passed in O.S.No.633 of 2004 dated 23.04.2012 on the file of Principal District Munsif Court, Poonamallee.

2. Mr.K.Manikandan, learned counsel for appellants submitted that as the lower court counsel applied for certified copy of judgment and decree on 18.07.2023 and the same was obtained only on 21.11.2023 and thereafter, the 7th appellant handed over the same to the present counsel only during the last week of April 2024 and she gave instructions to file the Second Appeal. However, there is a delay of 10 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 is 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 22.08.2024.

13.08.2024

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