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C.M.P. No. 27073 of 2024
in S.A.SR.No.6231 of 2024

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 21 days in filing the above Second Appeal against the judgment and decree dated 15.09.2023 passed in Cross Objection in A.S.No.2 of 2021, on the file of I Addl. District Judge, Namakkal reversing the judgment and decree passed in O.S.No.99 of 2011 dated 10.07.2020 on the file of District Munsif Court, Arni.

2. Mr.K.V.Sundararajan, learned counsel for appellant submitted that as the certified copies of judgment and decree passed in O.S.No. 99 of 2011 was not available, the same was obtained, due to which, there is a delay of 21 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 05.12.2024.

02.12.2024

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