



WEB COPY



C.M.P. No. 10022 of 2024
in S.A.SR.No.3583 of 2024

C.M.P. No. 10022 of 2024
in
S.A.SR.No.3583 of 2024
T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 93 days in filing the above Second Appeal against the judgment and decree dated 16.06.2023 passed in A.S.No.45 of 2015, on the file of Sub-Court at Arni confirming the judgment and decree passed in O.S.No.197 of 2010 dated 27.04.2015 on the file of District Munsif Court, Arni.

2. Mr.V.Ravi, learned counsel for appellant submitted that as the certified copies of judgment and decree passed in O.S.No. 197 of 2010 was not available, the same was obtained and thereafter, due to illness, the appellant was not able to contact his counsel and only during the first week of December 2023, he gave instructions to file the Second Appeal. However, there is a delay of 93 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. 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 27.06.2024.

04.06.2024

rpp



WEB COPY



C.M.P. No. 10022 of 2024
in S.A.SR.No.3583 of 2024

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 10022 of 2024
in
S.A.SR.. No. 3583 of 2024

04.06.2024