



C.M.P.No.10441 of 2024
in C.R.P.SR.No.59258 of 2024

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A.D.JAGADISH CHANDIRA, J.

This petition has been filed seeking to condone the delay of 238 days in filing the civil revision petition.

2. Learned counsel for the petitioner submitted that the appeal suit filed by the petitioner before the Subordinate Court, Paramathy in A.S.No.11 of 2018 was dismissed for default on 17.09.2019. Thereafter, in the year 2019, the petitioner was admitted to Shanmuga Hospital, Namakkal, due to Kidney problem and he had undergone surgery in the year 2021 at the KMC Hospital, Coimbatore and since he was shuttling between Namakkal and Coimbatore, he was unable to appear before the Subordinate Court, Paramathy, thereby, there had been a delay of 238 days in filing this revision petition. Hence, he prayed to condone the delay.

3. Notice served on the second respondent has been refused and despite printing her name in the cause list, there is no representation for the second respondent.



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A.D.JAGADISH CHANDIRA, J.

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4. Mr.L.Mouli, learned counsel entered appearance for the first respondent and filed the Counter before this Court. He submitted that the petitioner had not appeared before the appellate Court and thereby, the Appeal Suit was dismissed for default. He further submitted that the petitioner has only stated reasons for the delay from 17.09.2019 till 2024, whereas, the earlier delay has not been explained. Therefore, he objected for condoning the delay.

5. Taking into consideration the reasons adduced in the affidavit filed in support of this petition, this civil miscellaneous petition is ordered and thereby, the delay of 238 days in filing this civil revision petition alone is condoned.

04.09.2024

Note : Registry is directed to number the civil revision petition, if it is, otherwise, in order.

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