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C.M.P. No. 12772 of 2024
in S.A.SR.No.20585 of 2024

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 4 days in filing the above Second Appeal against the judgment and decree dated 08.08.2023 passed in A.S.No.7 of 2019, on the file of Sub-Court at Arakkonam.confirning the judgment and decree passed in O.S.No.20 of 2005 dated 26.09.2018 on the file of District Munsif Court, Arakkonam.

2. Mr.K.Sudhakar, learned counsel for appellant submitted that after obtaining the certified copies of documents from trial court counsel, due to illness, the appellant was not able to contact his counsel and only during the third week of January 2024, he gave instructions to file the Second Appeal. However, there is a delay of 4 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 03.07.2024 along with connected appeal in S.A.No.367 of 2024.

26.06.2024

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