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C.M.P. No. 13601, 13605 and 13615 of 2024
in
S.A.SR.No.66495, 66496 and 66497 of 2024
T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 3770, 3770, 3784 days in filing the above Second Appeal against the judgment and decree dated 16.08.2021 passed in A.S.No.19, 20, 21 of 2013, on the file of Sub-Court, Sathyamangalam.

2. Heard the learned counsel for the petitioner.

3. The appellant herein is one of the brother of the paternal grand father's son of the respondent, who filed the suit to declare the sale deed dated 29.08.1967 and settlement deed dated 26.06.1975 as null and void along with other consequential relief. The Appellant herein claiming that suit property is ancestral property. Now, the appellant is aged about 60 years. The learned counsel for the appellant submits that the printed judgement of the Courts below was misplaced and due to covid pandemic the appellant/petitioner was not filed the appeal on time. Hence, he prayed to condone the delay of 3770, 3770 & 3784 days in filing the appeal against the judgment and decree in AS No. 19,20,21 of 2013.



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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 these petitions on condition that the petitioner shall pay a cost of Rs.5000/- payable to the Tamil Nadu State Legal Services Authority, Chennai within a period of one week from the date of receipt of a copy of this order. Accordingly, these petitions are ordered. Registry is directed to number the Second Appeals if it is otherwise found to be in order. Post the matter on 04.10.2024.

06.09.2024

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