



C.M.P.No. 17382 of 2024
in
S.A. SR.No. 618 of 2024

T.V. THAMILSELVI, J.

Challenging the judgment and decree passed in A.S.No.13 of 2022, the petitioner preferred the above Second Appeal, however there is a delay of 135 days in representing the above second appeal arose. Hence, the present petition has been filed to condone the delay in representing the second appeal.

2. Mr.S.N.Arun Kumar, learned counsel for petitioner submitted that the above Second Appeal was returned for non-filing of certified copy of judgment and decree passed in O.S.No.389 of 2004 on 12.01.2024. Hence, they wrote a letter to lower court counsel to apply for the same and after obtaining the certified copy of judgment and decree, the Second Appeal was represented, however, there is a delay of 135 days arose in representing the above second appeal and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.



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3. Considering the facts and circumstances and on considering the reasons stated by the petitioner in the affidavit that there is a delay in obtaining certified copy of judgment and decree passed in O.S.No. 389 of 2004 and to give one more opportunity to the petitioner, this court is inclined to allow this petition. Registry is directed to number the above Second Appeal if it is otherwise found to be in order and post the matter on 21.08.2024.

13.08.2024

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