



*C.M.P. No.13475 of 2024
in S.T.A. SR. No.104392 of 2023*

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**M.SUNDAR,J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

(Order of the Court was made by M.SUNDAR, J.)

Captioned 'Civil Miscellaneous Petition' (hereinafter 'CMP' for the sake of brevity) has been filed with a prayer for 'Condonation of Delay' (hereinafter 'CoD' for the sake of brevity) qua 282 days delay in representing captioned appeal being S.T.A. SR. No.104392 of 2023.

2. Mr.R.Prabakar, learned counsel for CMP petitioner is before us. Learned counsel for R4 who has lodged caveat (caveat obviously in the main appeal) is before us but as the delay sought to be condoned is delay in representation, it is a matter between the Court and the petitioner.

3. Learned counsel for petitioner draws our attention to paragraphs 6 and 7 of the support affidavit and submits that the reasons have been articulated thereat. To be noted, paragraphs 6 and relevant part of paragraph 7 read as follows:



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'6. I submit that, certain compliances pointed out

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to be made by the registry includes the proper filing of the appeal in the book format. Certain documents are required to be formed part of the book format have been obtained by the temple were got misplaced with the temple records and after due and diligent search, the same was identified during the 4th week of April 2024. Furthermore, during the time and length of this period, the temple management has also underwent change of Officers due to the administrative reasons. The above appeal was filed by my predecessor in office and later he was promoted and another Executive Officer was appointed for a while and now I have been assigned with additional charge of the temple as the Assistant Commissioner/Executive Officer.

7. I submit that, after due and diligent search and tracing of the records, the papers were placed with my counsel for proper compliances. Thereafter, the above appeal is filed before this Hon'ble Court.....'



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4. Considering the facts and circumstances of the case, nature of the matter and taking into account the trajectory the matter has taken thus far, on the facts of this case, we accept the aforementioned reasons and accede to the condonation of delay prayer. Captioned CMP is ordered as prayed for.

(M.S.J.) (K.G.T.J.)
06.08.2024

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