



C.M.P. No.15112 of 2024
in Appeal (CAD) SR. No.83158 of 2024

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**C.M.P. No.15112 of 2024
in Appeal (CAD) SR. No.83158 of 2024**

**M.SUNDAR,J.,
and
N.SENTHILKUMAR, J.,**

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

Captioned CMP has been filed with CoD prayer qua 80 days delay in filing the captioned appeal.

2. Read this in conjunction with and in continuation of earlier proceedings made in the listing on 25.07.2024 (first listing) which reads as follows:

**'C.M.P.No.15112 of 2024
in Appeal (CAD) SR. No.83158 of 2024
(Filing Number)**

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

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

Captioned 'Civil Miscellaneous Petition' ['CMP' for the sake of brevity] has been filed with 'Condonation of Delay' ['CoD' for the sake of brevity] prayer qua 80 days delay in filing captioned appeal.

2. On a perusal of the support affidavit we find that the reasons have been set out in paragraph 4 of the support affidavit.

3. Issue notice to respondents returnable in six weeks



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i.e., returnable by 05.09.2024. Private notice permitted.

List on 05.09.2024.'

3. Today, Ms.R.Divyapreathika, learned counsel on record for petitioner/appellant is before us.

4. Learned counsel for petitioner/appellant advertng to our earlier proceedings and paragraph 4 of the support affidavit submits that the reason for delay is a marriage in the family (marriage of daughter of Managing Director of petitioner company and pre-occupation of the Managing Director and staff in the marriage arrangements).

5. From what has been alluded to supra, it is clear that the respondents though duly served have not chosen to enter appearance through counsel much less they have chosen to come before this Court and oppose the CoD prayer.

6. Be that as it may, considering the facts and circumstances of the case, nature of the matter and the other attendant circumstances, we accept the reason for delay in this case.

7. Sequitur is, CoD prayer is acceded to. Further sequitur is,



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captioned CMP is ordered as prayed for. However, we deem it appropriate to order captioned CoD CMP on terms. Therefore, we write that delay will be condoned subject to payment of Rs.5,000/- (Rupees Five Thousand only) in favour of Madras High Court Advocate Clerks' Welfare Association, Chennai within a fortnight from today i.e., by 19.09.2024. If the cost is not paid within the time stipulated, captioned CMP will stand dismissed without further reference to this Court.

8. Captioned CMP is allowed on terms/ordered as above.

(M.S.J.) (N.S.J.)
05.09.2024

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P.S.: Though the captioned CMP is disposed of, list the captioned CMP under the cause list caption 'FOR REPORTING COMPLIANCE' on 26.09.2024.

M.SUNDAR,J.,



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**and
N.SENTHILKUMAR, J.,**

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05.09.2024