



WEB COPY



C.M.P. No. 16740 of 2024
in S.A.SR.No.40098 of 2024

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 14 days in filing the above Second Appeal against the judgment and decree dated 17.11.2023 passed in A.S.No.5 of 2023, on the file of V Addl. Judge, City Civil Court at Chennai reversing the judgment and decree passed in O.S.No.4446 of 2013 dated 05.03.2018 on the file of XIII Asst. City Civil Court, Chennai.

2. Mr.C.B.Muralikrishnan, learned counsel for appellant submitted that due to illness, the appellant was not able to contact his counsel and only during the first week of July 2024, she gave instructions to file the Second Appeal. However, there is a delay of 14 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 13.08.2024.

08.08.2024

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