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C.M.P. Nos.18648 & 18650 of 2024
in S.A.SR.Nos.7592 & 7589 of 2018

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T.V. THAMILSELVI, J.

Challenging the judgment and decree passed in A.S.Nos.53 and 32 of 2012, the petitioners preferred the above Second Appeals, however there is a delay of 2047 days in representing the above second appeals arose. Hence, the present petitions have been filed to condone the delay in representing the second appeals.

2. Mr.T.Sai Krishnan, learned counsel for petitioners submitted that the above Second Appeals were returned for rectifying certain defects on 01.02.2018, however, the clerk attached with his office met with an accident, due to which, he could not inform his counsel about the compliances to be made and in the meanwhile, papers were mixed up with other bundles, it could not be traced immediately. Thereafter, after due search, it was traced out, however, there is a delay of 2047 days arose in representing the above second appeals and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petitions.



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3. Considering the facts and circumstances and on considering the reasons stated by the petitioners in the affidavit that the bundle was misplaced and also due to lack of communication, to give one more opportunity to the petitioner, this court is inclined to allow these petitions on condition that the petitioners shall pay a cost of Rs.1500/- each, totally a sum of Rs.3000/- payable to the Tamil Nadu State Legal Services Authority, Chennai within a period of one week from the date of receipt of copy of this order and on such deposit, Registry is directed to number the above Second Appeals if it is otherwise found to be in order and post the matters on 19.09.2024.

04.09.2024

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