



WEB COPY



C.M.P. No. 19663 of 2024
in S.A.SR.No.83316 of 2023

C.M.P. No. 19663 of 2024
in
S.A.SR.No.83316 of 2023
T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 3 days in filing the above Second Appeal against the judgment and decree dated 04.01.2023 passed in A.S.No.5 of 2019, on the file of III Addl. District Court, Gobichetipalayam confirming the judgment and decree passed in O.S.No.66 of 2011 dated 17.09.2018 on the file of Subordinate Court, Gobichettipalayam.

2. Mr.P.Dinesh Kumar, learned counsel for appellant submitted that due to illness, the appellant was not able to meet his lower court counsel and to obtain copies within the prescribed time and thereafter, during 4th week of July 2023, he met him and collected the copies. Subsequently, he instructed the present counsel to file appeal. However, there is a delay of 3 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 18.09.2024.

09.09.2024

rpp



WEB COPY



C.M.P. No. 19663 of 2024
in S.A.SR.No.83316 of 2023

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 19663 of 2024
in
S.A.SR.. No. 83316 of 2023

09.09.2024