



WEB COPY



C.M.P.No.21634 of 2024 in
S.A.SR.No. 18847 of 2024

C.M.P.No. 21634 of 2024
in
S.A. SR.No. 18847 of 2024

T.V. THAMILSELVI, J.

Challenging the judgment and decree passed in A.S.No.35 of 2022, the petitioner preferred the above Second Appeal, however there is a delay of 138 days in representing the above second appeal arose. Hence, the present petition has been filed to condone the delay in representing the second appeal.

2. Mr.M.Suresh, learned counsel for petitioner submitted that the above Second Appeal was returned for want of certified copy of judgment and decree in appeal on 26.02.2024, however, the paper was misplaced with other bundles and hence, the petitioner was intimated to get the certified copy of judgment and decree in O.S.No.5120 of 2018 and thereafter after obtaining the same, he approached the counsel on record only during the last week of June 2024 to file the Second Appeal. Hence, there is a delay of 138 days arose in representing the above second appeal and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.



C.M.P.No.21634 of 2024 in
S.A.SR.No. 18847 of 2024

WEB COPY

3. Considering the facts and circumstances and on considering the reasons stated by the petitioner in the affidavit that the bundle was misplaced and so, to give one more opportunity to the petitioner, this court is inclined to allow this petition. Registry is directed to number the above Second Appeal if it is otherwise found to be in order and post the matter on 17.10.2024.

01.10.2024

rpp



WEB COPY



C.M.P.No.21634 of 2024 in
S.A.SR.No. 18847 of 2024

T.V. THAMILSELVI, J.

rpp

C.M.P.No. 21634 of 2024
in
S.A. SR.No. 18847 of 2024

01.10.2024