



C.M.P. No. 21842 of 2024
in S.A.SR.No.108697 of 2024

C.M.P. No. 21842 of 2024
in
S.A.SR.No.108697 of 2024

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 106 days in filing the above Second Appeal against the judgment and decree dated 01.09.2023 passed in A.S.No.19 of 2022, on the file of I Addl. District Court at Coimbatore confirming the judgment and decree passed in O.S.No.925 of 2014 dated 23.12.2021 on the file of II Addl. Sub-Court, Coimbatore.

2. Mr.N.S.Suganthan, learned counsel for appellants submitted that both the appellants are aged persons and due to age-related health issue, they are not able to contact their counsel and instruct him to file the appeal within a stipulated time and only during the last week of July 2024, the gave instructions to file the Second Appeal. However, there is a delay of 106 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.



C.M.P. No. 21842 of 2024
in S.A.SR.No.108697 of 2024

WEB COPY

3. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit seems to be justifiable one and on considering the age of appellants and to give one more opportunity, 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 18.10.2024.

01.10.2024

rpp



WEB COPY



C.M.P. No. 21842 of 2024
in S.A.SR.No.108697 of 2024

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 21842 of 2024
in
S.A.SR.. No. 108697 of 2024

01.10.2024