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C.M.P. No. 18764 of 2024
in S.A.SR.No.83583 of 2024

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 8 days in filing the above Second Appeal against the judgment and decree dated 29.02.2024 passed in A.S.No.5 of 2023, on the file of I Addl. District Judge, Tindivanam confirming the judgment and decree passed in O.S.No.182 of 2020 dated 30.08.2022 on the file of Addl. Subordinate Judge, Tindivanam.

2. Mr.S.Senthilnathan, learned counsel for appellant submitted that the certified copy of judgment and decree passed in A.S.No. 5 of 2023 was obtained only on 28.03.2024 and after receipt of the same, the said copy was mixed up with old disposed bundles. Thereafter, on search of the said order copy, the petitioner met the present counsel during last week of June 2024. However, there is a delay of 8 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, 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 27.09.2024.

04.09.2024

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