



WEB COPY



C.M.P. No. 19637 of 2024
in S.A.SR.No.66622 of 2024

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in

S.A.SR.No.66622 of 2024

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 28 days in filing the above Second Appeal against the judgment and decree dated 13.12.2023 passed in A.S.No.66 of 2022, on the file of Subordinate Judge, Thiruvotriyur, Chennai confirming the judgment and decree passed in O.S.No.184 of 2003 dated 16.08.2019 on the file of District Munsif Court, Thiruvotriyur.

2. Mr.P.Madhavan, learned counsel for appellants submitted that as there was a lack of communication for obtaining certified copy to facilitate the process in filing the second appeal, the petitioner is not able file the above second appeal within a stipulated period. Hence, there is a delay of 28 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.

4. 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 23.09.2024.

09.09.2024

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