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C.M.P. No. 21002 of 2024  
in S.A.SR.No.28310 of 2024

**C.M.P. No. 21002 of 2024**  
**in**  
**S.A.SR.No.28310 of 2024**  
**T.V. THAMILSELVI, J.**

This petition has been filed seeking to condone the delay of 10 days in filing the above Second Appeal against the judgment and decree dated 05.09.2023 passed in A.S.No.63 of 2016, on the file of III Addl. District and Sessions Court at Coimbatore modifying the judgment and decree passed in O.S.No.833 of 2012 dated 23.08.2016 on the file of I Addl. Sub-Court, Coimbatore.

2. Mr.Ma.P.Thangavel, learned counsel for appellants submitted that after getting the certified copy of judgment and decree passed by the first appellate court on 24.11.2023, the petitioners have contacted the counsel on record only during the 3<sup>rd</sup> week of February 2024 to file the present Second Appeal. However, there is a delay of 10 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 seems to be 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 03.10.2024.

**24.09.2024**

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in  
S.A.SR.. No. 28310 of 2024

**24.09.2024**