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C.M.P. No. 20766 of 2024
in S.A.SR.No.119951 of 2024

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 65 days in filing the above Second Appeal against the judgment and decree dated 29.02.2024 passed in A.S.No.12 of 2023, on the file of Sub-Court at Ambur upholding the judgment and decree passed in O.S.No.24 of 2012 dated 03.07.2018 on the file of Principal District Munsif Court, Ambur.

2. Mr.L.K.Manjunath, learned counsel for appellant submitted that due to unaware of proceedings and due to lack of communication, the appellant was not able to contact his counsel and only during the first week of September 2024, he gave instructions to file the Second Appeal. However, there is a delay of 65 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 30.09.2024.

24.09.2024

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