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C.M.P.No.20649 of 2024 in
S.A.SR.No. 118205 of 2024

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T.V. THAMILSELVI, J.

Challenging the judgment and decree passed in A.S.No.29 of 2022, the petitioner preferred the above Second Appeal, however there is a delay of 113 days in representing the above second appeal arose. Hence, the present petition has been filed to condone the delay in representing the second appeal.

2. Mr.Giritharan Sridharan, learned counsel for petitioner submitted that the above Second Appeal was returned for rectifying certain defects and to comply the returns within a period of 10 days on or before 15.04.2024. He would submit that due to some technical error in e-filing portal, the returned details was not reflected, due to which, he could not represent the papers within a stipulated time. In view of the same, there is a delay of 113 days arose in representing the above second appeal and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.



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3. Considering the facts and circumstances and on considering the reasons stated by the petitioner in the affidavit stating that since he has filed the second appeal through e-filing, he was not able to get the return details in the e-portal seems to be justifiable one, this court is inclined to allow this petition. Registry is directed to number the above Second Appeal if it is otherwise found to be in order and post the matter on 04.10.2024.

24.09.2024

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