



WEB COPY



C.M.P.Nos.25128 & 25126 of 2024 in  
S.A.SR.Nos. 60410 & 60411 of 2023

**C.M.P.Nos. 25128 & 25126 of 2024**  
**in**  
**S.A. SR.Nos. 60410 & 60411 of 2023**

**T.V. THAMILSELVI, J.**

Challenging the judgment and decree passed in A.S.Nos.51 & 52 of 2021, the petitioner preferred the above Second Appeals, however there is a delay of 302 days in representing the above second appeals arose. Hence, the present petitions have been filed to condone the delay in representing the second appeals.

2. Mr.T.S.Baskaran, learned counsel for petitioner submitted that the above Second Appeals were returned for rectifying certain defects on 02.05.2023 and the same was represented on 14.06.2023, however, again the registry returned both Second Appeals on 24.11.2023 as the date of filing the suit was erroneously stated as 17.09.2010 instead of 12.03.1999 in the decree. Hence, the counsel on record handed over the decree copies to the petitioner for amending the same and after receipt of amended decree, papers were misplaced with other bundles and it could not be traced



C.M.P.Nos.25128 & 25126 of 2024 in  
S.A.SR.Nos. 60410 & 60411 of 2023

WEB COPY

immediately. Thereafter, after due search, it was traced out, however, there is a delay of 302 days arose in representing the above second appeals and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.

3. Considering the facts and circumstances and on considering the reasons stated by the petitioner in the affidavit that since there was an error in the date of lower court decree, the amended decree was obtained and subsequently, the bundle was misplaced, and in order to give one more opportunity to the petitioner, this court is inclined to allow these petitions. Registry is directed to number the above Second Appeals if it is otherwise found to be in order and post the matters on 20.11.2024.

**11.11.2024**

rpp



WEB COPY



C.M.P.Nos.25128 & 25126 of 2024 in  
S.A.SR.Nos. 60410 & 60411 of 2023

**T.V. THAMILSELVI, J.**

rpp

**C.M.P.Nos. 25128 & 25126 of 2024**  
**in**  
**S.A. SR.Nos. 60410 & 60411 of 2023**

**11.11.2024**