



C.M.P.No. 21862 of 2024
in
S.A. SR. No. 43713 of 2024

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 175 days in payment of deficit court fee of Rs.1441/- in the above appeal.

2. Mr.P.Sathish Kumar, learned counsel for petitioner submitted that while preferring the above second appeal on 28.03.2024, a sum of Rs.960/- has been calculated and paid court fee at the rate of 3% instead of Rs.3361/- at the rate of 7.5%. Hence, he came to know that there was a deficit court fee of Rs.1441/- is to be affixed in the above appeal. However, there is a delay of 175 days in the said payment arose 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 the reasons stated by the petitioner in the affidavit seems to be justifiable one. Accordingly, 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 23.10.2024.

14.10.2024

rpp