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C.M.P. No. 4482 of 2024
in S.A.SR.No.125598 of 2023

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 8 days in filing the above Second Appeal against the judgment and decree dated 14.12.2022 passed in A.S.No.28 of 2021, on the file of the learned XXII Additional Judge, City Civil Court, Chennai.

2. Mr.S.Sadasharam, learned counsel for appellant submitted that the appeal suit was allowed by judgment and decree dated 14.12.2022 and the copy application was filed on 15.12.2022 and the certified copy of the judgment and decree were made ready on 20.06.2023 and the same were received by the counsel on 22.06.2023. However, the appeal should have been preferred within 90 days. Hence, there is a delay of 8 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 is justifiable one. Accordingly, 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 26.06.2024.

12.06.2024

drl



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