



C.M.P.No. 11345 of 2024

in

S.A. SR.No. 109454 of 2023

T.V. THAMILSELVI, J.

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Challenging the judgment and decree passed in A.S.No.84 of 2019, the petitioner preferred the above Second Appeal, however there is a delay of 95 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. Ms.Jayasudha Suryanarayanan, learned counsel for petitioner submitted that the above Second Appeal was returned for rectifying certain defects on 27.12.2023 including missing of few pages in the original suit decree and there was a correction in A.S. decree. Hence, there is a delay of 95 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.

3. Considering the facts and circumstances and on considering 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 above Second Appeal if it is otherwise found to be in order and post the matter on 21.06.2024.

11.06.2024

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