



C.M.P.No. 10551 of 2024
in
S.A. SR.No. 88043 of 2022

T.V. THAMILSELVI, J.

Challenging the judgment and decree passed in A.S.No.43 of 2017, the petitioner preferred the above Second Appeal, however there is a delay of 518 days in filing the above second appeal arose. Hence, the present petition has been filed to condone the delay in filing the second appeal.

2. Mr.Swarnam J.Rajagopalan, learned counsel for petitioner submitted that due to illness, there was a lack of communication from the appellant and also there was a delay in applying certified copy of judgment. Hence, there is a delay of 518 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 seems to be justifiable one, this court is inclined to allow this petition on condition that the petitioner shall pay a



cost of Rs.1500/- payable to the District Legal Services Authority, Salem within a period of one week from today and on such deposit, Registry is directed to number the above Second Appeal if it is otherwise found to be in order and post the matter on 26.06.2024.

04.06.2024

rpp



WEB COPY



T.V. THAMILSELVI, J.

rpp

C.M.P.No. 10551 of 2024
in
S.A. SR.No. 88043 of 2022

04.06.2024