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C.M.P. No. 22186 of 2024
in S.A.SR.No.62000 of 2024

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 6 days in filing the above Second Appeal against the judgment and decree dated 28.11.2022 passed in A.S.No.13 of 2021, on the file of III Addl. District and Sessions Judge, Vellore @ Tirupattur confirming the judgment and decree passed in O.S.No.01 of 2014 dated 05.02.2021 on the file of Subordinate Judge, Vaniyambadi.

2. Mr.R.Ramesh, learned counsel for appellant submitted that due to lack of communication, the appellant was not able to contact his counsel and only during the third week of June 2023, she gave instructions to file the Second Appeal. However, there is a delay of 6 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 21.10.2024.

14.10.2024

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