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CMP. 28068 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 09-12-2024  
CORAM  
THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP. 28068 of 2024  
AND  
SA SR. 60329 OF 2024

RAMESH  
AND 2 OTHERS

APPELLANT(S)

Vs

THANUSU  
AND 2 OTHERS

RESPONDENT(S)

**For Appellant(s):**

Mr. J.ANTONY JESUS

**ORDER**

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 209 days in payment of deficit court fee of Rs.6,245/- in the above second appeal.

2. Mr.J.Antony Jesus, learned counsel for petitioner submitted that while preferring the above second appeal, they have paid a sum of Rs.4313/- i.e. 3% of the value of Second Appeal, however, subsequently as per the amendment in Court Fees Act, he came to know that 7.5% of the value of Second Appeal shall be paid as court fee. Hence, he has paid the additional court fee of Rs.6245/- on 05.11.2024 and represented the above Second Appeal. However, there is a delay of 209 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, this court is inclined to allow this petition. It is directed to number the above Second Appeal if it is otherwise found to be in order and post the matter on 17.12.2024.



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**(T.V.THAMILSELVI J.)**  
**09-12-2024**

RPP