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C.M.P.No. 2904 of 2025
and
W.A.Sr.No. 13364 of 2025

Dr. ANITA SUMANTH, J.
and
N.SENTHILKUMAR, J.

(Order of the Court was made by Dr. ANITA SUMANTH., J.)

This petition has been filed by a Trust and seeks condonation of delay of 217 days in filing appeal.

2. The delay is stated to have on account of ill health and paragraph 4 reads as follows:-

"4. I submit that due to my health conditions I was unable to concentrate on the day by day activities of the appellant Trust. There is no regular income for the Trust and most of the administrative staff who are conversant with the affairs of the Trust left the Trust and there is no office staff to initiate action to follow up the issue. Due to financial problems I am facing a lot of problems of attachment of properties from various Govt and bank/financial institutions and so unable to file the appeal in time. I initiated action to sell some immovable properties in order to settle the Govt. dues but it could not be done immediately due to attachments / litigations or quoting of very lower price for high value properties. Further, I submit that under the above circumstances the appellant subsequently initiated action by engaging the Advocate and received the draft appeal on 09.09.2024 and the applicant was diligent enough to file it on 23.09.2024."



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3. In addition, Mr.K.Sankaranarayanan, who appears on behalf of the petitioner also circulates medical certificates in support of the illness between the period 04.03.2024 and 28.08.2024.

4. Mr.K.S.Ramaswamy, learned Junior Standing Counsel, who accepts notice, on behalf of the respondent does not object to the condonation of delay.

5. We also find that the reasons set out are compelling. Hence, delay of 217 days is condoned and this petition is ordered.

6. Let writ appeal be numbered if it is otherwise in order 'for admission' on any Monday / Tuesday along with W.A.No.2141 of 2024, stated to have been filed challenging the same order of the writ court.

[A.S.M., J] [N.S., J]
11.06.2025

ssm

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