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CMP NO. 4855 OF 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP No. 4855 of 2025

AND

SA SR NO. 104049 OF 2023

R. Marimuthu (died)
1. Rethinavalli
and another

Appellant(s)

Vs

1. S. Raja

Kuppusamy (Died).

2.K. Jeyalakshmi

Respondent(s)

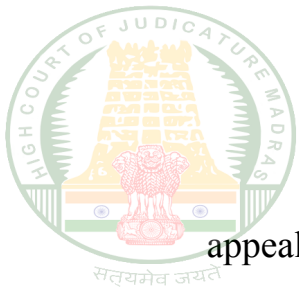
PRAYER

To condone the delay of 536 days in representing the appeal in SA SR.104049 of 2023.

For Appellant(s): Mr. S. Ramesh

ORDER

Challenging the judgment and decree passed in A.S.No.4 of 2015, the petitioners preferred the above Second Appeal, however there is a delay of 536 days in representing the above second appeal arose. Hence, the present petition has been filed to condone the delay in representing the second



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appeal.

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2. Mr.S.Ramesh, learned counsel for petitioners submitted that as the records were not available, it could not be procured within the stipulated period. Thereafter, after obtaining the required records, it was represented. However, there is a delay of 536 days arose in representing the above second appeal. 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 that as there was a delay in obtaining necessary records, it could not be represented within a stipulated time and to give one more opportunity to the petitioners, 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 26.03.2025.

03.03.2025

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T.V. THAMILSELVI, J.

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C.M.P.No. 4855 of 2025
in
S.A. SR.No. 104049 of 2023

03.03.2025