



WEB COPY

CMP No. 8491 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP No. 8491 of 2025

and

SA SR No.164446 of 2023

S.Baskar
and another

Appellant(s)

Vs

CHINNADURAI
and another

Respondent(s)

PRAYER

To condone the delay of 417 days in the representing the case papers of the above SA.SR.No.164446/2023

For Appellant(s): Mr. T.M.Naveen

ORDER

Challenging the judgment and decree passed in A.S.No.13 of 2014, the petitioner preferred the above Second Appeal, however there is a delay of 417 days in representing the above second appeal arose. Hence, the present petition has been filed to condone the delay in representing the second appeal.



2. Mr.T.M.Naveen, learned counsel for petitioner submitted that the above Second Appeal was returned for rectifying certain defects on 12.01.2024.

He would submit that due to employment of both the petitioners were at USA, the copies of necessary case papers could not be obtained. Thereafter, due to inadvertence, the case papers were misplaced and after tracing out the papers, the above Second Appeal was represented. However, there is a delay of 417 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 in the affidavit that due to employment of both petitioners were at USA and due to misplacement of case papers, it could not be represented within a stipulated time, which seems to be justifiable one and to give one more opportunity to the petitioner as well as to avoid multiplicity of proceedings, 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 29.04.2025.

09-04-2025

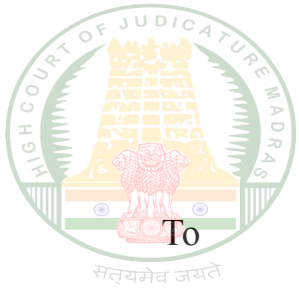
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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1. Subordinate Court, Pollachi.
2. District Munsif, Pollachi.
3. Section Officer, VR Section, Madras High Court.



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T.V.THAMILSELVI J.

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