



WEB COPY



C.M.P. No. 11068 of 2025
in C.M.A.SR.No.164621 of 2024

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 113 days in payment of deficit court fee in CMA SR.No. 164621 of 2024.

2. Mr.S.Baskaran, learned counsel for petitioner submitted that the above Civil Miscellaneous Appeal was filed on 03.12.2024 and the same was returned by the registry on 11.12.2024 for certain defects, wherein it was notified that there is a deficit in payment of court fee of Rs.7,263/-. However the clerk attached with counsel on record left to his native place without complying the defects and came back to office only during March 2025. Furthermore, inadvertently the case papers mixed up with other files and thereafter it was traced out. Hence, there is a delay of 113 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 is justifiable one. Accordingly, this court is inclined to allow this petition. Registry is directed to number the Civil Miscellaneous Appeal if it is otherwise found to be in order.

04.06.2025

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