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CMP NO. 2135 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2025

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THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 2135 of 2025

in

SA.SR.No.74617 of 2024

ZAKAULLAH

S/o. Abdul Subby, Kandal, Ootacamund, The Nilgiris.

Appellant(s)

Vs

MAHROON

W/o. Late Mohammed Yousuff, Res. at Thoppan line, Finger Post, Ootacamund, The Nilgiris. and 4 Others

Respondent(s)

For Appellant(s):

A.Thiyagarajan

For Respondent(s):

M/s R Suryakumaran
For Rr1 To 5

ORDER

This Petition has been filed to condone the delay of 1838 days in filling above SA.SR.No.74617 of 2024.

2. Heard the learned counsel for the appellant and learned counsel for



the respondents. The material available on record has been perused.

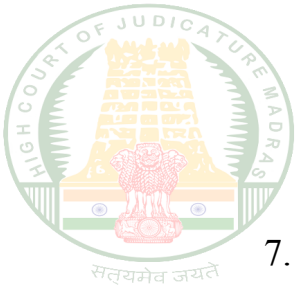
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3. The Learned Counsel for the appellant submitted that the first appellate Court passed its judgement on 27.03.2019. However, due to covid-19 pandemic, the appellant was unable to obtain copies of the order in time. Accordingly due to a lack of communication, the appeal could not be filed within the prescribed period.

4. The learned counsel for the respondents 1 to 5 strongly objected to the appellant's submission.

5. To avoid further multiplicity of proceedings, this Court is inclined to condone the delay, subject to costs.

6. The petitioner / appellant is directed to pay a sum of Rs.2,000/- (Rupees Two thousand only) to the contesting respondents 1 to 5, on or before 27.03.2025. On such payment, the delay of 1838 days in filling the above SA.SR.No.74617 of 2024, stands condoned.



7. Accordingly, this Civil Miscellaneous petition is allowed.

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8. Registry is directed to list the above Second Appeal after numbering the same, if they are otherwise in order, on 27.03.2025.

13-03-2025

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To

1. The Subordinate Judge, Udhagamandalam.
 2. The District Munsif, Udhagamandalam.
 3. ZAKAULLAH
- S/o. Abdul Subby, Kandal, Ootacamund, The Nilgiris.

T.V.THAMILSELVI, J.



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