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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 03-03-2025**

CORAM

**THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI**

**CMP No. 4760 of 2025**

**AND**

**SA SR NO. 10997 OF 2023**

Mohankumar (DIED)  
1. Rajanarayanan  
and 6 others

Appellant(s)

Vs

Dhanavalli

Respondent(s)

**PRAYER**

To condone the delay of 595 days in paying deficit court fees of Rs.9472/- and thus render justice.

For Appellant(s): Mr. G.K.Sekar

**ORDER**

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 595 days in payment of deficit court fee of Rs.9472/- in the above appeal.

2. Mr.G.K.Sekar, learned counsel for petitioners submitted that the suit was filed seeking for specific performance and paid a court fee of Rs.15,770.25 paise. He would submit that while preferring the above appeal suit, due to inadvertence, the court fee payable was wrongly calculated and court fee of Rs.6278/- was paid. Later, he came to know that deficit court



fee was affixed in the above appeal. However, there is a delay of 595 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 seems to be justifiable one, 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 19.03.2025.

**03.03.2025**

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**T.V.THAMILSELVI, J.**

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C.M.P.No. 4760 of 2025  
in  
S.A.SR.. No. 10997 of 2023

**03.03.2025**