



C.M.P. No. 591 of 2025
in S.A.SR.No.48763 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22-01-2025**

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 591 of 2025

AND

SA SR NO. 48763 OF 2022

Abdul Munaff
and another

Appellant(s)

Vs

Papanna @ Chinna Muniappa

Respondent(s)

For Appellant(s) :

Mr.T.M.Hariharan

ORDER

Challenging the judgment and decree passed in A.S.No.5 of 2021, the petitioner preferred the above Second Appeal, however there is a delay of 813 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.Hariharan, learned counsel for petitioner submitted that the above Second Appeal was returned for rectifying certain defects on 29.04.2022. He would submit that as the date of decree was wrongly mentioned in the Appeal Suit, the same was rectified and thereafter, he instructed his counsel to represent the same. However, there is a delay of 813 days arose in representing the above second appeal and the said delay caused is neither willful nor wanton, but for the above said reasons.



C.M.P. No. 591 of 2025
in S.A.SR.No.48763 of 2022

Accordingly, he has filed the above petition.

WEB COPY

3. Considering the facts and circumstances and on considering the reasons stated by the petitioner in the affidavit that due to delay in obtaining the amended decree in the Appeal Suit, it could not be represented within a stipulated time and to give one more opportunity to the petitioner, 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 28.01.2025.

22.01.2025

rpp



WEB COPY



C.M.P. No. 591 of 2025
in S.A.SR.No.48763 of 2022

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 591 of 2025
in
S.A.SR.. No. 48763 of 2022

22.01.2025