



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 1121 of 2025

AND

AS SR NO. 108659 OF 2024

M.S.R.Balachandran
and another

Appellant(s)

Vs

A. Sivasamy
and another

Respondent(s)

For Appellant(s) :

Mr.M.Mariappan

ORDER

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 115 days in payment of deficit court fee of Rs.49,576/- in the above appeal.

2. Mr.M.Mariappan, learned counsel for petitioner submitted that while preferring the above appeal suit, the petitioner paid the court fee of Rs.33,000/- for the value of appeal i.e. Rs.11,01,000/-, however it was returned by the Registry stating that there is a deficit court fee of Rs.49,576/- to be affixed in the above appeal. Thereafter, the petitioner had arranged money and handed over the same only on 09.12.2024. However, there is a delay of 115 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.

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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 Appeal Suit if it is otherwise found to be in order and post the matter on the 3rd week of February 2025.

27.01.2025

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T.V.THAMILSELVI, J.

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