



C.M.P. No.1196 of 2025
in AS SR.No.173077 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 1196 of 2025

AND

AS SR NO. 173077 OF 2024

VELUMANI

Appellant(s)

Vs

Ansar Ali

Respondent(s)

For Appellant(s) :

Mr.C.Munusamy

ORDER

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 89 days in filing the above Appeal Suit against the judgment and decree dated 14.06.2024 passed in O.S.No.15 of 2024, on the file of Principal District and Sessions Judge, Kallakurichi.

2. Mr.C.Munusamy, learned counsel for appellant submitted that the certified copy of judgment and decree passed in the Suit in O.S.No. 15 of 2024 was obtained on 22.07.2024. Thereafter, due to illness, the appellant was not able to come to Chennai and to engage his counsel. Only during the 2nd week of December 2024, he gave instructions to file the Appeal Suit. However, there is a delay of 89 days in filing the above appeal suit arose,



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which is neither willful nor wanton. Therefore, he filed this petition to condone the delay in filing the above second appeal.

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 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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