



WEB COPY



C.M.P. No. 735 of 2025
in S.A.SR.No.60789 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22-01-2025**

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THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 735 of 2025

AND

SA SR NO. 60789 OF 2024

ALEXANDAR
and another

Appellant(s)

Vs

Salamon Royar (died)
1. Madalai Mary
and 18 Others

Respondent(s)

For Appellant(s) :

Mr.N.Krishna Kumar

ORDER

Challenging the judgment and decree passed in A.S.No.4 of 2013, the petitioner preferred the above Second Appeal, however there is a delay of 168 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.N.Krishna Kumar, learned counsel for petitioner submitted that the above Second Appeal was returned for rectifying certain defects on 30.05.2024, but the papers were mixed up with other bundles and it could not be traced out immediately. Thereafter, after due search, it was traced



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out, however, there is a delay of 168 days arose in representing the above second appeal 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 on considering the reasons stated by the petitioner in the affidavit that since the papers were mixed up with other case bundles, 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

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T.V.THAMILSELVI, J.

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