



C.M.P.No.32712 of 2025  
in A.S.SR.No.186257 of 2025

**N.MALA, J.**

This civil miscellaneous petition is filed to condone the delay of 28 days in filing the present first appeal.

2. The reasons stated by the petitioners are that the copy application was filed belatedly by the lower Court counsel and the copy of the judgment was received only on 08.08.2025, and that he was unable to travel from Tiruppur to Chennai to provide the relevant papers for filing.

3. The respondents have filed their counter stating that the reasons assigned by the petitioners were untenable and insufficient to condone the delay of 28 days in filing the present appeal. The respondents, therefore, prayed for dismissal of the petition.

4. Heard the learned counsel on both sides and perused the affidavit and counter affidavit filed by the petitioners and the respondents, respectively.

5. The first petitioner is aged about 57 years and he stated that he was unable to travel from Tiruppur to Chennai to provide relevant papers to the counsel and further since the copy application was filed belatedly by the lower Court counsel, the delay of 28 days in filing the present first appeal occurred.

6. This Court is of the view that such delay cannot amount to negligence or indolence. Therefore, this Court is inclined to allow the petition.

Accordingly, this civil miscellaneous petition is allowed by condoning the delay of 28 days in filing the above first appeal. The Registry is directed to number the first appeal, if it is otherwise in order.

**28-04-2026**

nsd



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