

C.M.P. Nos.16388 & 16389 of 2016
in C.M.A. No.SR99853 of 2012

T.RAJA, J.

It is a case where one Sigamani, aged about 40 years, who was died in the accident, the Tribunal has awarded a sum of Rs.5,45,000/- with interest at the rate of 6% p.a. Aggrieved by the said award, the Insurance Company is proposed to file an appeal challenging the liability. In the mean while, the huge and unexplained delay of 1389 had occurred in re-presenting the appeal and also another delay of 1409 days in payment of deficit Court Fee of Rs.5,600/- in the above CMA.

2.When the award was passed on 10.12.2011, it is not known why the Insurance Company had delayed 1409 days for paying the deficit Court fee of Rs.5,600/-. The delay can happen for a period of one or two months, however, over a period of 4 years, the Insurance Company has not paid the deficit court fee and similarly, CMP.No.16389 of 2016 has been filed for re-presenting th appeal had also taken more than three years. Therefore, this Court is not able to see any justification to allow these petitions. Accordingly, these miscellaneous petitions are dismissed. Consequently, C.M.A. No.SR99853 of 2012 is rejected.

T.RAJA, J.

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3.The petitioner/Insurance Company is directed to deposit the entire award amount along with accrued interest to the credit of MCOP No.817 of 2009 on the file of the Motor Accident Claims Tribunal, (Additional District Court),Krishnagiri, within a period of four weeks from the date of receipt of a copy of this order, failing which, the interest payable would become 9% for the delayed period.

25.10.2016

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