

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

C.M.P.No.2698 of 2006
in C.M.A.No.SR115246 of 2004

The Branch Manager,
 New India Assurance co. Ltd.
 Survey No.1817 Neela South Street,
 D.Mu.Department
 Nagapattinam Town,
 Nagapattinam Taluk.

... Petitioner/Appellant/4th respondent

versus

1. Jayalakshmi
 2. Minor Shanmugavalli
 (Rep. by her mother Jayalakshmi)

3. Arayeeammal ... Respondents 1 to 3 / Petitioners

4. Baskar ... 4th Respondent/1st Respondent

5. The Branch Manager,
 The National Insurance Company
 No.62, D.S.R.Big Street,
 D.Mu Department,
 Kumbakonam Town,
 Kumbakonam Taluk.

... 5th respondent/2nd respondent6. M.Jayuneesa Beebee ... 6th respondent/3rd respondent

Prayer in C.M.P.No.2698 of 2006 : This petition has been filed under Section 148 of C.P.C. seeking condonation of delay of 217 days in paying the deficit Court Fee of Rs.3030/-.

Prayer in C.M.A.No.SR115246 of 2004: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree dated 23.07.2004 made in M.C.O.P.No.633 of 2003 on the file of the Motor Accident

Claims Tribunal (District Court), Nagapattinam.

For Petitioner : No appearance

ORDER

The petition in C.M.P.No.875 of 2006 in C.M.A.No.SR115246 of 2004 filed to condone the delay of 189 days in representing the appeal was allowed on 23.01.2006.

2. Yet another petition in C.M.P.No.2698 of 2006 in C.M.A.No.SR115246 of 2004 seeking condonation of delay of 217 days in paying the deficit Court Fee of Rs.3030/- has been filed and it is pending from the year 2000 onwards. However, till date, no steps have been taken to serve notice on the other side.

3. This clearly shows that the petitioner is not interested in prosecuting the matter. Today also, there is no representation for the petitioner. Accordingly, the petition in C.M.P.No.2698 of 2006 in C.M.A.No.SR115246 of 2004 is dismissed. Consequently, appeal in C.M.A.No.SR115246 of 2004 is rejected.

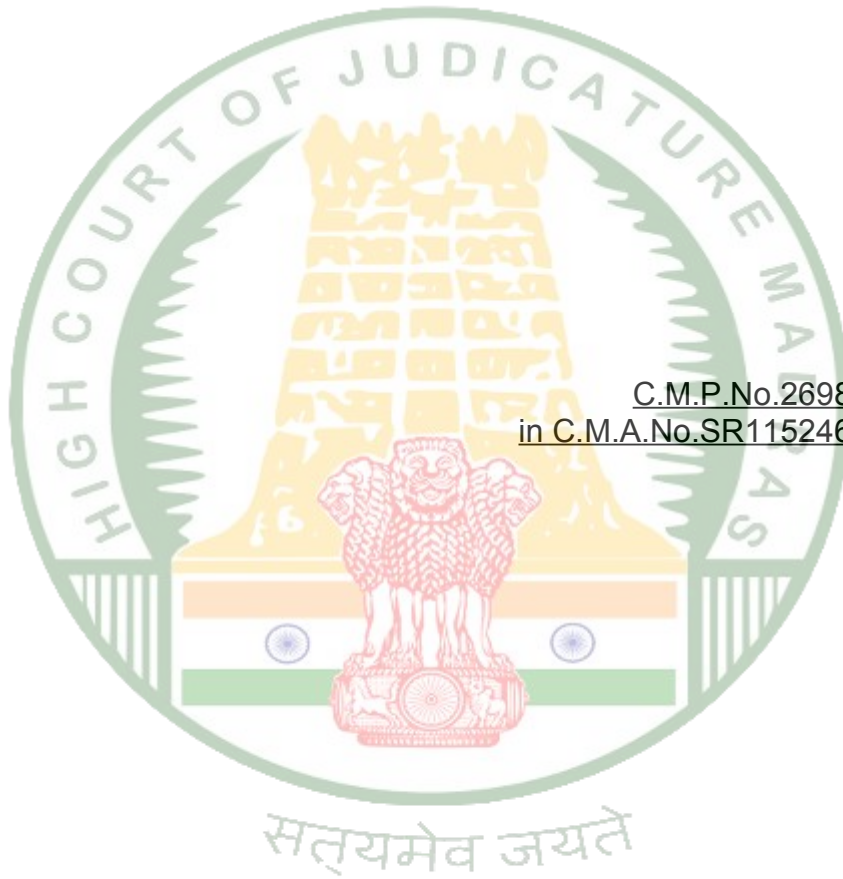
WEB COPY

31.01.2017

ogy/GLN

Dr.S.VIMALA, J.

ogy/GLN



C.M.P.No.2698 of 2006
in C.M.A.No.SR115246 of 2004

WEB COPY 31.01.2017