



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Fifth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CMP(MD) No.2938 of 2017
IN
CMA(MD) No.SR10738 of 2017

1 MARIMUTHU,
2 ANANTHAVALI,

... PETITIONERS/APPELLANTS

Vs

1 K.KARUPPANAN,

2 THE NEW INDIA ASSURANCE COMPANY LTD., KARUR.

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 157 days in filing the Civil Miscellaneous Appeal against the fair and decreetal order in M.C.O.P.No.2045/2012 dated 7.3.2016 passed by Motor Accident Claim Tribunal, Principal District Judge, Trichy and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.P.NARAYANAKUMAR, Advocate for the petitioner and of Mr.A.Ilango, Advocate for R2, the court made the following order:-

Heard the learned counsel appearing for the petitioners/appellants and the learned counsel appearing for the second respondent.

2.The learned counsel for the second respondent has no objection for allowing this petition. However, he would submit that the claimants are not entitled to any interest for the enhanced amount of compensation for the aforesaid period of delay, in the event of allowing this appeal.



3. I am satisfied with the reasons found in the affidavit filed in support of this petition. Hence, the delay is condoned and this petition is ordered. If the papers are otherwise in order, the Registry is directed to number and list the matter for admission on 11.07.2017. However, it is made clear that the petitioners/claimants are not entitled to any interest for the enhanced amount of compensation for the aforesaid period of delay, in case, any enhancement is made in this appeal.

sd/-
05/07/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE MOTOR ACCIDENT CLAIM
TRIBUNAL, PRINCIPAL DISTRICT JUDGE, TRICHY

Copy to: The Section Officer
AE Section (Civil)
Madurai Bench of Madras High Court, Madurai.

sm:RR-BS:SAR 4:10.7.2017:2p/3c

ORDER
IN
CMP (MD) No.2938 of 2017
IN
CMA (MD) No.SR10738 of 2017
Date :05/07/2017