



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

Thursday, the Sixth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

WEB COPY

CMP(MD) No.8125 of 2016
IN
CMA(MD) No.SR 21948 of 2015

1 SAGAYA USHARANI
2 MINOR.JERIN
3 MINOR.JENIS
4 VARUVELAMMAL
(Minor petitioners 2 and 3 are
rep. By their mother and guardian
1st appellant)

...APPELLANTS/PETITIONERS

Vs

1 AYYAPPAN
2 A.KADAR ALI
3 THE BRANCH MANAGER
THE NATIONAL INSURANCE CO.LTD,
ANGU VILAS BUILDING,
NEAR NAGARAJA KOIL,
NAGERCOIL,
AGASTEESWARAM TALUK,
KANYAKUMAR.

... RESPONDENTS/RESPONDENTS

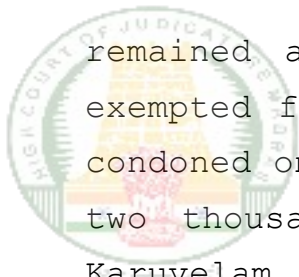
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 932 days in filing the above Civil Miscellaneous Appeal and thus render justice.

PRAYER IN CMA(MD) No.SR 21948 of 2015

To allow this appeal and enhance the award amount in M.C.O.P.No.13 of 2011 on the file of Motor Accident Claims Tribunal, (Chief Judicial Magistrate) Nagercoil, dated 13.08.2012 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. T.SELVAKUMARAN, Advocate for the petitioner and of M/S.H.VELAVA DHAS, Advocate for R1 the court made the following order:-

The second respondent is not served. Notice sent to R2 has been returned with an endorsement 'died'. The OP against R2 has been dismissed by the Tribunal. It is seen from the records that R2



remained as exparte before the Tribunal. Hence, the petitioner exempted from bringing on record legal heirs of R2. The delay is condoned on condition that the petitioner deposits Rs.2000/- (Rupees two thousand only) to the credit of SBI Account, towards Seema Karuvelam Trees within two weeks from today, failing which this petition shall stand vacated automatically without further reference to this court.

sd/-
06/04/2017

/ TRUE COPY /

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

TO

1. THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
(CHIEF JUDICIAL MAGISTRATE) NAGERCOIL.

Copy To:

1 THE BANK MANAGER,
INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

2 THE REGISTRAR (ADMINISTRATION)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.8125 of 2016
IN
CMA (MD) No.SR21948 of 2015
Date :06/04/2017

MS/PM.PN/SAR.2/10.04.2017/2P.4C