



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

Wednesday, the Twenty Eighth day of November Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.138 of 2018
IN
CMA(MD) No.SR211 of 2018

D.GOVINDAN @ GOVINDARAJ

... PETITIONER/APPELLANT

Vs

1 S.ARJUNAN

2 ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED,
CHODADHAI CENTRE, 2ND & 3RD FLOOR,
NO.140, NUNGAMBAKKAM HIGH ROAD,
CHENNAI-34.

... 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 119 days in filing the appeal.

PRAYER IN CMA(MD) No.SR211 of 2018 :

To set-aside the fair and decreetal order passed in M.C.O.P.No.3330 of 2013, dated 10.04.17 on the file of the Motor Accident Claims Tribunal (Special Sub-Court), Tiruchirapalli by allowing this appeal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.H.ARUMUGAM, Advocate for the petitioner and of MR.K.K.RAMAKRISHNAN, Advocate for R2 and R1 not appeared either in person, the court made the following order:-

This petition has been filed to condone the delay of 119 days in filing the above Civil Miscellaneous Appeal in C.M.A.(MD)No.SR211 of 2018.

2. When the matter came up for hearing today, the learned Counsel appearing for the petitioner/appellant would submit that the petitioner/appellant will not claim interest for the delayed period in the event of enhancement by this Court.

3. Though notice was served on the first respondent and his name was also printed in the cause list, there is no representation on his behalf. Learned Counsel appearing for the second respondent submitted that they are not having any serious objections in condoning the delay.



4. In view of the above submission and also considering the reasons stated in the affidavit filed in support of the petition as well as considering the length of delay, this Court is inclined to condone the delay, subject to the payment of cost of Rs.500/- (Rupees Five Hundred only) to "Chief Justice Relief Fund", within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically, without any further reference to this Court.

sd/-
28/11/2018

/ TRUE COPY /

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

TO

THE SPECIAL SUB-JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUCHIRAPALLI.

COPY TO:
THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.138 of 2018
IN
CMA(MD) No.SR211 of 2018
Date :28/11/2018

JM/VR MMS/SAR 1/06.12.2018/2P/3C