



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

Tuesday, the Third day of July Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.1715 of 2018
IN
CMA(MD) No.SR5090 of 2018

N.IYYAPPAN, ... PETITIONER/APELLANT

Vs

1 SRIKUMAR,

2 THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION
MADURAI DIVISION-III RANITHOTTAM
NAGERCOIL KANYAKUMARI DISTRICT ... RESPONDENTS/RESPONDENTS

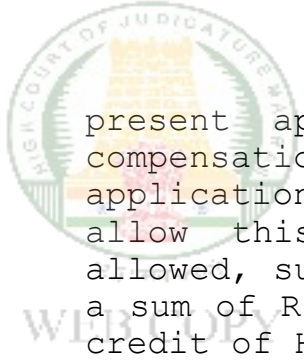
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 2087 days in filing the above Civil Miscellaneous Appeal against the Judgment and decree passed by the Motor Accident Claims Tribunal/Chief Judicial Magistrate, Nagercoil Kanyakumari District in M.C.O.P.No.9 of 2011 dated 20.2.2012 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.M.MARIA VINOLA, Advocate for the petitioner and of Respondent not appearing either in person or by an advocate, the court made the following order:-

(Order of the Court was made by **K.RAVICHANDRABAABU, J**)

This application is filed seeking to condone the delay of 2087 days in filing the above Civil Miscellaneous Appeal.

2. There is no representation for the respondents. Though the delay is enormous, considering the fact that the Petitioner/Appellant is continuously hospitalized on several occasions and even now, he is hospitalized at K.M.Hospital, Trivandrum for taking treatment to the ailments resulting out of the subject-matter accident and further, considering the fact that the



present appeal is sought to be filed seeking enhancement of compensation and also considering the fact that the present application is not opposed by the other side, We are inclined to allow this application and accordingly, this application is allowed, subject to the condition that the Petitioner/appellant pays a sum of Rs.1,000/- (Rupees one thousand only) towards costs, to the credit of High Court Legal Services Committee attached to this Bench within a period of two weeks from the date of receipt of a copy of this order, failing which, this Petition shall stand automatically dismissed without further reference to this Court.

sd/-
03/07/2018

/ TRUE COPY /

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

TO

THE CHIEF JUDICIAL MAGISTRATE
MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAGERCOIL AT KANYAKUMARI DISTRICT

Copy to:

THE AUTHORIZED OFFICER,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CMP (MD) No.1715 of 2018
IN
CMA (MD) No.SR5090 of 2018
Date :03/07/2018

SMA/JC/GSR/06.07.2018:2P/3C