



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

Monday, the Thirteenth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP(MD) No.11041 of 2017

IN

CMA(MD) No.SR34831 of 2015

S. PRAKASH

... PETITIONER/PETITIONER/APPELLANT

Vs

1 K. BALASUBRAMANIAN

2 M/S NATIONAL INSURANCE CO. LTD
THROUGH ITS DIVISIONAL MANAGER, MARUTHI
COMPLEX, F215, II FLOOR, OMALUR ROAD,
P.O.NO.27, SALEM.

... RESPONDENTS/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 536 days in filing the restoration petition in MP.No.2 of 2015 in CMA(MD)SR.No.34831/2015.

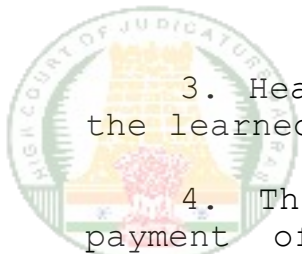
PRAYER IN CMA(MD)SR.No.34831 of 2018:-

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to enhance the awarded passed in M.C.O.P.No.82 of 2011 dated 17.11.2012 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate,Tuticorin and allowed this appeal 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.S.M.MOHAN GANDHI, Advocate for the petitioner and of Mr.P.MUTHAIA Advocate for R2, and for R1 is not appeared either in person or by an advocate,the court made the following order:-

This petition has been filed to condone the delay of 536 days in filing restoration petition in M.P(MD).No. 2 of 2015 in the above Civil Miscellaneous Appeal.

2. Though notice was served on the respondent No.1 and his counsel, as per the cause list there is no representation on behalf of the respondent No. 1 either in person or through his counsel.



3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for second respondent.

4. This petition is allowed and the delay is condoned on payment of cost of Rs.1,000/- (Rupees One Thousand only) to Rojavanam, Home for Old Aged, Melur Road, Uthangudi, Ulaganeri, Madurai - 625 107, within a period of one week from today, failing which this petition shall stand dismissed automatically without any further reference to this Court.

sd/-
13/08/2018

/ TRUE COPY /

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE
/ THE MOTOR ACCIDENT CLAIMS TRIBUNAL ,
TUTICORIN DISTRICT.

Copy To:- The Officers Incharge,
Rojavanam, Home for Old Aged,
Melur Road, Uthangudi,
Ulaganeri, Madurai - 625 107,

ORDER
IN
CMP (MD) No.11041 of 2017
IN
CMA (MD) No.SR34831 of 2015
Date :13/08/2018

MV:MMS:SAR4:04/09/18/2P/3C