



**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.2245 of 2018**

**IN**

**CMA(MD) No.SR5822 of 2018**

THE BRANCH MANAGER  
NATIONAL INSURANCE CO.LTD, DOOR NO.3321/2,  
ANUSIYA COMPLEX, 1ST UPSTAIRS, PANDIAN  
NAGAR, ROSALPATTI, VIRUDHUNAGAR TOWN.

... PETITIONER(S)

Vs

1 MUTHUMUNIYANDI  
DOOR NO.4/6-24-1, MUTHALAMMAN KOVIL EAST ST,  
ATCHAMPATTI, KARIAPATTI TALUK, VIRUDHUNAGAR  
DISTRICT.

2 BOOMADEVI  
DOOR NO.4/6-24-1, MUTHALAMMAN KOVIL EAST ST,  
ATCHAMPATTI, KARIAPATTI TALUK, VIRUDHUNAGAR  
DISTRICT.

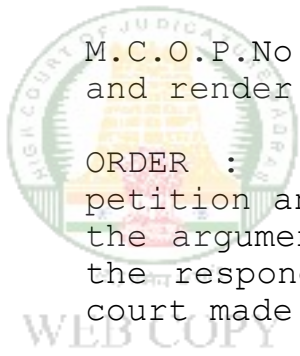
3 MANIKUMAR  
S/O. KALIMUTHU, DOOR NO.3/348, WEST STREET,  
MALLAPURAM VILLAGE, PERIYUR TALUK, MADURAI  
DIST.

... RESPONDENT(S)

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 152 days in preferring the above Civil Miscellaneous Appeal against the order dated 16.03.2017, made by the Motor Accident Claims Tribunal cum Subordinate Judge, Virudhunagar in MCOP.NO.52/2015 and thus render justice.

**PRAYER IN CMA(MD) No.SR5822 of 2018:-**

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the judgment and decree passed by the Motor Accident Claims Tribunal cum Subordinate Judge, Virudhunagar, made in



M.C.O.P.No.52/2015 dated 16.03.2017 and allow this appeal with costs and 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.R.RAJAMANI, Advocate for the petitioner and of the respondent 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 152 days in filing the above Civil Miscellaneous Appeal.

2. Though the respondents entered appearance through their counsel, there is no representation on behalf of the respondents today.

3. Heard the learned counsel appearing for the petitioner.

4. This petition is allowed and the delay is condoned on payment of cost of Rs.500/- (Rupees Five Hundred 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.

5. If the aforesaid condition is complied with within the time stipulated, and if the papers are in order, Registry is directed to number the appeal and post the same for admission.

sd/-  
13/08/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL CUM SUBORDINATE JUDGE,  
VIRUDHUNAGAR.

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

ORDER  
IN  
CMP (MD) No.2245 of 2018  
IN  
CMA (MD) No.SR5822 of 2018  
Date :13/08/2018