



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

Tuesday, the Thirteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CMP (MD) No.2308 of 2018
IN
CMA (MD) No.SR36304 of 2017

NADIMUTHU

... PETITIONER/APELLANT

Vs

1 JEYAMALA GOWRI
2 ICICI LAMBARD GENERAL INSURANCE CO. LTD.,
THROUGH ITS GENERAL MANAGER,
3RD FLOOR, ANNAMALAI NAGAR,
NEAR KARUR BYE PASS ROAD,
THILLAI NAGAR, TRICHY TOWN,
TRICHY DISTRICT.

... 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 137 days in representing the above Civil Miscellaneous Appeal and thus render justice.

PRAYER IN CMA(MD) No.SR36304 of 2017:

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988, against the Judgment and decree made in M.C.O.P.No.373 of 2011 on the file of the Motor Accident Claims Tribunal, (3rd Additional District Sessions Court), Thanjavur at Pattukkottai, dated 23.03.2017.

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.D.SELVAKUMARI, Advocate for the petitioner the court made the following order:-

The learned Counsel for the petitioner is present.

The Petitioner is claimants before the Tribunal and they filed this appeal for enhancement of compensation.

The appeal was preferred in time, but it was not represented in time as fixed by the Registry. Hence, there is a delay of 137 days in representing the appeal.

Reasons assigned in para no.5 of the affidavit is perused and considered. However, the petitioners are not entitled to claim any interest for the default period of 137 days in representation.



This petition is allowed accordingly and the delay is condoned.

sd/-
13/03/2018

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

TO

THE 3RD ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR AT PATTUKKOTTAI.

GJM/CM/VR/SAR-4-15.3.18-2P-2C

ORDER
IN
CMP (MD) No.2308 of 2018
IN
CMA (MD) No.SR36304 of 2017
Date :13/03/2018