



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Fifth day of October Two Thousand Eighteen

PRESENT

WEB COPY

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

CMP (MD) Nos.12053 and 12054 of 2017

IN

CMA (MD) Nos.SR38746 & 38749 of 2011

NATIONAL INSURANCE COMPANY LTD.,
BRANCH OFFICE NO.II,
JEROME BUILDINGS, I-FLOOR KOTTI STATION ROAD,
TRICHY -2. ... PETITIONER/APELLANT
(IN BOTH PETITIONS)

Vs

1.DANAPAL
2.THAMIZH SELVI
3.KRISHNAMURTHY

... RESPONDENTS/RESPONDENTS
IN CMP (MD) .NO.12053 /17 IN
CMA (MD) No.SR38746 of 2011

1.LAKSHMI
2.KRISHNAMURTHY

... RESPONDENTS/RESPONDENTS
IN CMP (MD) .NO.12054 /17 IN
CMA (MD) No.SR38749 of 2011

Prayer in CMP (MD) No.12053 of 2017

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 1171 days in re-presenting the appeal papers in CMA SR.No.38746 of 2011 on the file of this Hon'ble Court and thus render justice.

Prayer in CMA (MD) No.SR38746 of 2011 in CMP (MD) No.12053 of 2017:-

To set aside the fair and decreetal order dated 02.03.2011 made in M.C.O.P.No.489 of 2009 on the file of the Motor Accidents Claims Tribunal(Subordinate Court), Kulithalai, and allow this Civil Miscellaneous appeal.

Prayer in CMP (MD) No.12054 of 2017

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 1171 days in re-presenting the appeal papers in CMA SR.No.38749 of 2011 on the file of this Hon'ble Court and thus render justice.

Prayer in CMA (MD) No.SR38749 of 2011 in CMP (MD) No.12054 of 2017:-

To set aside the fair and decreetal order dated 02.03.2011 made in M.C.O.P.No.19 of 2010 on the file of the Motor Accidents Claims



Tribunal (Subordinate Court), Kulithalai, and allow this Civil Miscellaneous appeal.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of Mrs.K.R.SHIVA SHANKARI, Advocate for the petitioner (in both petitions) and R2 not appeared either in person or by an advocate IN CMP(MD).NO.12054 /17 IN CMA(MD) No.SR38749 of 2011 and R3 not appeared either in person or by an advocate IN CMP (MD).NO.12053 /17 IN CMA(MD) No.SR38746 of 2011, the court made the following order:-

These petitions are filed to condone the delay of 1171 days in re-presenting the above said appeal.

2.Heard the learned counsel appearing for the petitioner.

3.Considering the contention of the learned counsel for the petitioner, the delay of 1171 days is condoned on payment of cost of Rs.1000/-each (Rupees Thousand only) to the Rojavanam, Homeless & Aged Care Centre, Melur Road, Uthangudi, Madurai, 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 further reference to this Court.

sd/-
05/10/2018

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, KULITHALAI.

COPY TO:
THE OFFICER INCHARGE,
ROJAVANAM, HOMELESS AND AGED CARE CENTRE,
MELUR ROAD, UTHANGUDI, MADURAI.

ORDER IN

CMP(MD) Nos.12053 and 12054 of 2017
IN
CMA(MD) Nos.SR38746 & 38749 of 2011
Date :05/10/2018