



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

Tuesday, the Third day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.12108 of 2017

IN

CMA(MD) No.SR47394 of 2017

1 MANISHA (MINOR)
2 DIVYA (MINOR)
3 KANDASAMY
(1st AND 2nd APPELLANT REP.BY HER
GRANDFATHER/GUARDIAN 3rd APPELLANT)

... PETITIONERS/PETITIONERS

Vs

1 PRABHAKARAN
2 THE BRANCH MANAGER,
NATIONAL INSURANCE COMPANY LTD.,
MOUNT ROAD BRANCH,
BRANCH CODE 500401,
CHENNAI AND DISTRICT
HAVING OFFICE AT SOUTH CAR STREET,
NAGERCOIL POST&VILL,
AGASTEESWARAM TALUK,
KANYAKUMARI DISTRICT.

3 MANIKANDAN
4 MADHAVAMANI

... RESPONDENTS/RESPONDENTS

**(*) Cause title accepted vide court order dated 06.12.2017 made in
CMP(MD)No.11135/2017 in CMA(MD)No.SR47394/2017 by GRSJ.**

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 734 days for filing this civil
miscellaneous appeal.

PRAYER IN CMA(MD) No.SR47394 of 2017:

To call for the records relating to the fair and decretal
order passed by Learned Chief Judicial Magistrate, Motor Accident
Claims Tribunal, Nagercoil, Kanyakumari District in M.C.OP.37 of
2014 dated 31.08.2015 and to enhance the compensation and



consequently award just compensation by considering the Retham situation of money and thus render justices.

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.K.P.NARAYANAKUMAR, Advocate for the petitioner, the court made the following order:-

This Civil Miscellaneous petition has been filed to condone the delay of 734 days in filing the above civil miscellaneous appeal in C.M.A(MD)No.SR47394 of 2017.

2. Being satisfied with the reasons stated in the affidavit filed in support of this petition, I am inclined to allow the petition on terms.

3. Accordingly, this petition is ordered. However, it is made clear that the petitioners/claimants are not entitled to any interest for the enhanced amount of compensation for the aforesaid period of delay, in case, any enhancement is made in this appeal.

sd/-

03/04/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAGERCOIL, KANYAKUMARI DISTRICT.

ORDER

IN

CMP(MD) No.12108 of 2017

IN

CMA(MD) No.SR47394 of 2017

Date : 03/04/2018

PK/RR/SAR-1/09.04.2018 : 2P/2C