



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

Wednesday, the Nineteenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CMP(MD) Nos.528 to 536 of 2016

IN

CMA (MD) SR NoS.810,814,820,826,832,838,844,850 and 856 of 2016

THE BRANCH MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION,
PILLAI THANNEER PANDAL,
THIRUMAYAM MAIN ROAD,
PUDUKKOTTAI.

... PETITIONER/APPELLANT
IN ALL THE PETITIONS

Vs

RANI	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.528/2016 IN CMA (MD) SR.810/2016
NOOR MOHAMMED	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.529/2016 IN CMA (MD) SR.814/2016
ANANDHI	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.530/2016 IN CMA (MD) SR.820/2016
NAGAMMAL	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.531/2016 IN CMA (MD) SR.826/2016
PUSHPAM	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.532/2016 IN CMA (MD) SR.832/2016
SELVARAJ	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.533/2016 IN CMA (MD) SR.838/2016
MINOR ARAVIND (Minor is represented through his mother and natural guardian Anandhi)	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.534/2016 IN CMA (MD) SR.844/2016
MARIAM BEEVI	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.535/2016 IN CMA (MD) SR.850/2016
https://hcservices.ecourts.gov.in/hcservices/ PICHAIAMMAL	... 1 st RESPONDENT/RESPONDENT IN CMP (MD) No.536/2016 IN CMA (MD) SR.856/2016



... 2nd RESPONDENT/RESPONDENT
IN ALL THE RESPONDENTS

Prayer in CMP(MD).528/2016 IN CMA(MD)SR.No.810/2016 :

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 238 days in filing the above CMA(MD) SR.No.810 of 2016 against the award passed in MCOP No.118 of 2013 dated 10.02.2015 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Pudukkottai and thus render justice.

Prayer in CMP(MD).529/2016 IN CMA(MD)SR.No.814/2016:

To condone the delay of 238 days in filing the above CMA (MD)SR.No.814 of 2016 against the award passed in MCOP No.120 of 2013 dated 10.02.2015 on the file of the MACT, CJM Court, Pudukkottai and thus render justice.

Prayer in CMP(MD).530/2016 IN CMA(MD)SR.No.820/2016:

To condone the delay of 238 days in filing the above CMA (MD)SR.No.820 of 2016 against the award passed in MCOP No.122 of 2013 dated 10.02.2015 on the file of the MACT, CJM Court, Pudukkottai and thus render justice.

Prayer in CMP(MD).531/2016 IN CMA(MD)SR.No.826/2016:

To condone the delay of 238 days in filing the above CMA (MD)SR826 of 2016 against the award passed in MCOP No.123 of 2013 dated 10.02.2015 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Pudukkottai and thus render justice.

Prayer in CMP(MD).532/2016 IN CMA(MD)SR.No.832/2016:

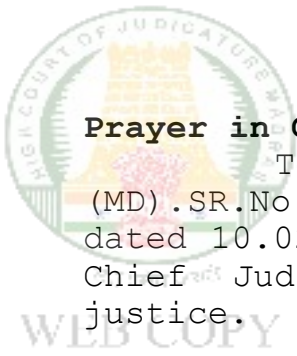
To condone the delay of 238 days in filing the above CMA. (MD).SR.No.856/2016 against the award passed in MCOP.No.124/2013 dated 10.02.2015 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Pudukkottai and thus render justice.

Prayer in CMP(MD).533/2016 IN CMA(MD)SR.No.838/2016 :

To condone the delay of 238 days in filing the above CMA. (MD).SR.No.838/2016 against the award passed in MCOP.No.125/2013 dated 10.02.2015 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Pudukkottai and thus render justice.

Prayer in CMP(MD).534/2016 IN CMA(MD)SR.No.844/2016:

To condone the delay of 238 days in filing the above CMA. (MD).SR.No.844/2016 against the award passed in MCOP.No.126/2013 dated 10.02.2015 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Pudukkottai and thus render justice.



Prayer in CMP(MD).535/2016 IN CMA(MD)SR.No.850/2016 :

To condone the delay of 238 days in filing the above CMA. (MD).SR.No.850/2016 against the award passed in MCOP.No.128/2013 dated 10.02.2015 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Pudukkottai and thus render justice.

Prayer in CMP(MD).536/2016 IN CMA(MD)SR.No.856/2016 :

To condone the delay of 238 days in filing the above CMA. (MD).SR.No.856/2016 against the award passed in MCOP.No.130/2013 dated 10.02.2015 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Pudukkottai and thus render justice.

ORDER :These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.D.SIVARAMAN, Advocate for the petitioner in all the petitions and of MR.M.SURESH, Advocate for the Second Respondent in all the petitions and th first Respondent not appeared either in person or by an advocate in all the petitions, the court made the following order:-

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

2.The learned counsel appearing for the petitioner / Insurance Company submitted that all these petitions have been filed to condone the delay of 238 days in filing the above appeals, challenging the Award of Tribunal fixing the entire liability on the petitioner and directing him to pay the compensation awarded to the first respondent in all the petitions. He further contended that the petitioner is not challenging the quantum of compensation awarded. In view of the same notice to the first respondent in all the cases is dispensed with.

3. These petitions are allowed and the delay is condoned on payment of total cost of Rs.3,000/- (Rupees Three Thousand only) to Rojavanam, Home for Old Aged, Melur Road, Uthangudi, Ulaganeri, Madurai - 625 107, within a period of one week from the date of receipt of a copy of this order, failing which these petitions shall stand dismissed automatically without any further reference to this Court.

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

sd/-
19/09/2018

/ TRUE COPY /



TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

COPY TO: THE OFFICER-IN-CHARGE,
ROJAVANAM, HOME FOR OLD AGED, MELUR ROAD,
UTHANGUDI, ULAGANERI, MADURAI - 625 107,

COPY TO : THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CMP(MD) Nos.528 to 536 of 2016 IN
CMA(MD) SR NoS.810,814,820,826,

832,838,844,850 and 856 of 2016
Date :19/09/2018

PK/RR/SAR-1/01.10.2018 : 4P/4C