



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

Friday, the Twenty Eighth day of September Two Thousand Eighteen

PRESENT

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

CMP (MD) No.7036 of 2017
IN
CMA (MD) SR.No.19672 of 2017

SUBBAMMAL

... PETITIONER/ APPELLANT

Vs

1 RALINSON PACKIARAJ

2 BAJAJ ALLIANCE GENERAL INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
1/39A, MAPSONS MARKETERS BUILDING,
BYE PASS ROAD, VANNARPETTAI,
TIRUNELVELI.

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 182 days in filing the above Civil Miscellaneous Appeal.

PRAYER IN CMA (MD) SR.No.19672 of 2017:

To allow this appeal and enhance the award amount in M.C.O.P.No.268 of 2010 on the file of the Motor Accident Claims Tribunal, (Principal Sub Court), Tirunelveli, dated 27.04.2016.

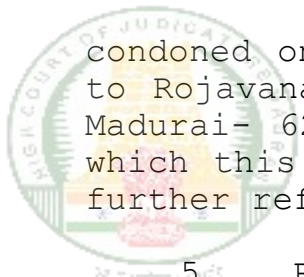
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.SELVAKUMARAN, Advocate for the petitioner and of Mr.J.S.MURALI, Advocate for R2, the court made the following order:-

This petition has been filed to condone the delay of 182 days in filing the above Civil Miscellaneous Appeal.

2. The learned counsel appearing for the petitioner submitted that first respondent remained ex parte before the Tribunal and hence, notice is not necessary to the first respondent. Mr.J.S.Murali, learned counsel takes notice for second respondent.

3. I have heard the learned counsel appearing for the petitioner and the second respondent.

4. Considering the reasons stated in the affidavit filed in support of this petition, 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. Registry is directed to number the appeal if it is otherwise in order and post the same for admission.

sd/-
28/09/2018

/ TRUE COPY /

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

TO
THE PRINCIPAL SUBORDINATE JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

COPY TO:

1. THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR OLD AGED,
MELUR ROAD, UTHANGUDI,
ULAGANERI, MADURAI- 625 107.
2. THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.7036 of 2017
IN
CMA (MD) SR.No.19672 of 2017
Date :28/09/2018

MS/JC/SAR-2/04.10.2018/2P.4C