



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

Thursday, the Twenty Sixth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CMP (MD) No.9061 of 2017
IN
CMA (MD) No.SR32315 of 2017

1.ANGAYARKANNI
2.PAPPA

... APPELLANTS/PETITIONER in MCOP

Vs

1.JAMAL MOHAMMED YUNUS

...RESOINDENT NO.1/RESPONDENT NO.1
in MCOP

2.RELIANCE GENERAL INSURANCE CO. LTD.,
TRICHIRAPPALLI REP. BY ITS BRANCH MANAGER,
HAVING OFFICE AT NO.15-A P.L.A KANAGU TOWERS,
11TH CROSS, MAIN ROAD, THILLAI NAGAR,
TRICHY-18

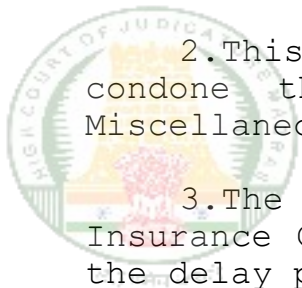
... RESOINDENT NO.2/RESPONDENT NO.2
in MCOP

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 1268 days in filing the above Civil Miscellaneous Appeal, pass such other or further orders that are deemed fit and proper in the circumstances of the case and thus render justice.

PRAYER IN CMA(MD) No.SR32315 of 2017:

To alllow this Appeal, Reverse and set aside the Judgement and decree dated 12.02.2014 made in M.C.O.P.No.1319/2011 on the file of Special District Judge Motor Accidents Claims Tribunal, Thanjavur and to pass an order for enhancement of compensation as prayed for herein against Respondents 1 and 2 herein and pass such other or further orders that are deemed fit and proper in the circumstances of the case and thus render justice.

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.R.MATHIYALAGAN, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-



2.This petition has been filed by the petitioners seeking to condone the delay of 1268 days in filing the above Civil Miscellaneous Appeal.

3.The learned counsel appearing for the 2nd respondent / Insurance Company requested to order for forfeiture of interest for the delay period.

4.Considering the reasons stated in the affidavit filed in support of the petition and also considering the length of delay, this Court is inclined to condone the delay subject to the payment of cost of Rs.2,500/- (Rupees two thousand and five hundred only) to the Chief Justice Relief Fund within a period of two weeks from the date of receipt of a copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court. Further, the petitioners / claimants are not entitled to receive the interest for the delay period.

5.This petition is accordingly ordered.

sd/-
26/07/2018

/ TRUE COPY /

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

TO

THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL, THANJAVUR.

COPY TO:

THE SECTION OFFICER, (CHIEF JUSTICE RELIEF FUND)
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.9061 of 2017
IN
CMA (MD) No.SR32315 of 2017
Date :26/07/2018

TK/MMS/VR/06.08.2018/2P-3C