



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

Monday, the Thirteenth day of August Two Thousand Eighteen

PRESENT

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

CMP(MD) No.3461 of 2018
IN
CMA(MD) No.39058 of 2017

S.ASHOK KUMAR

... APPELLANT/CLAIMANT

Vs

1.S.IYYADURAI

2.THE MANAGER, ROYAL SUNDARAM ALLIANZ INSURANCE COMPANY LIMITED,
NO.6, SORENDU BUILDING 1ST FLOOR, LATIS BRIDGE ROAD,
ADAYAR, CHENNAI-600 020. ... RESPONDENTS/ RESPONDENTS

(1ST RESPONDENT REMAINED EXPARTE BEFORE THE TRIBUNAL.
HENCE NOTICE TO THE 1ST RESPONDENT MAY BE
DISPENSED WITH)

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 130 days in filing this appeal and thus
render justice.

PRAYER IN CMA(MD) No.39058 of 2017:

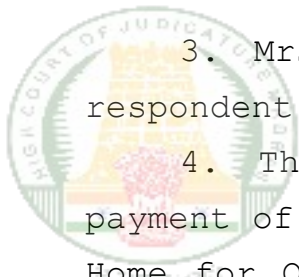
To enhance the compensation amount from Rs.52.000/- to
Rs.2,02,500/- in M.C.O.P.No.80 of 2012 on the file of Motor Accident
Claims Tribunal, Periakulam and thus render justice.

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.K.KUMARAVEL, Advocate for the Appellant and of
Mrs.R.SIVASANKARI, Advocate for R2 the court made the following
order:-

This petition has been filed to condone the delay of 130 days
in filing the above Civil Miscellaneous Appeal.

2. It is reported by the learned counsel appearing for the
petitioner that the first respondent remained ex parte before the
Tribunal and hence, his appearance is not necessary before this

The said submission is hereby recorded.
<https://hse.courts.gov.in/hse/courts>



3. Mrs.R. Shivasankari, learned counsel takes notice for 2nd respondent.

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

sd/-
13/08/2018

/ TRUE COPY /

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

TO

THE JUDGE, MOTOR ACCIDENT CLAIMS TRIBUNAL,
PERIAKULAM.

COPY TO:

1. THE SUB-ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2. THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR OLD AGED, MELUR ROAD,
UTHANGUDI, ULAGANERI, MADURAI - 625 107

ORDER
IN
CMP (MD) No.3461 of 2018
IN
CMA (MD) No.39058 of 2017
Date : 13/08/2018

TK/PN/SAR.2/23.08.2018/2P-4C