



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

Friday, the Thirteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.3474 of 2018
IN CROS.OBJ(MD) No.SR1784 of 2017
IN CMA(MD) No.1163 of 2016

RAMALAINGAM(DIED),

- 1 SMT.KAMALAKSHI
- 2 SUNDARRAJ
- 3 RAJAN
- 4 USHA RANI
- 5 SUDHA
- 6 SUNIL

... PETITIONERS/PETITIONERS

Vs

- 1 RAGHU
- 2 S.KAVIN MOHAN
- 3 THE BRANCH MANAGER,
NATIONAL INSURANCE CO.LTD.,
ANGUVILAS BUILDING, NEAR HEAD POST OFFICE,
NAGERCOIL,KANYAKUMARI DISTRICT.

... RESPONDENTS/RESPONDENTS

Prayer in CMP(MD) No.3474 of 2018 :

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 422 days in representing the return papers in the above cross objection and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

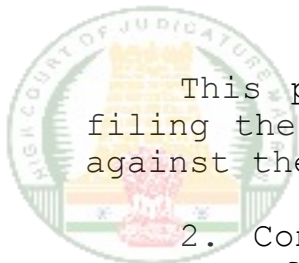
Prayer in CROSS.OBJ(MD) No.SR1784 of 2018 :

To set aside the fair and decretal order dated 17.12.2008 passed by the Motor Accident Claims Tribunal cum Sub-Ordinate Judge, Kuzhithurai in M.C.O.P.No.106 of 2005, and allow this Cross appeal.

Prayer in CMA(MD). 1163/ 2016 :

To set aside the award passed in MCOP.No.106/2005 on the file of the Motor Accidents Claims Tribunal (Sub Judge), Kuzhithurai, dated 17.12.2008.

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.H.THAYUMANASWAMY, Advocate for the petitioners the court made the following order:-



This petition has been filed to condone delay of 422 days in filing the above cross objection in Cros.Obj.(MD)No.SR1784 of 2017, against the award passed in M.C.O.P.No.106 of 2005.

2. 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.500/- (Rupees Five Hundred only) to the Legal Aid Service Authority, attached to this Bench, within a period of one week 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.

3. This petition is accordingly ordered.

sd/-
13/04/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENTS CLAIMS TRIBUNAL CUM SUBORDINATE JUDGE,,
KUZHITHURAI.

Copy to

THE OFFICER IN CHARGE,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CMP(MD) No.3474 of 2018 IN
CROS.OBJ(MD) No.SR1784 of 2017
IN CMA(MD) No.1163 of 2016
Date :13/04/2018

MKV-CM-VR-VK/17.4.2018/2P-3C