



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

Tuesday, the Thirty First day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.3799 of 2018
IN
CMA (MD) No.SR3370 of 2018

ESAKKI

... PETITIONER/ APPELLANT

Vs

THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION
(TIRUNELVELI REGION) VANNARPETTAI,
TIRUNELVELI.

... RESPONDENT/ RESPONDENT

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 621 days in filing the above Civil Miscellaneous Appeal and thus render justice.

PRAYER IN CMA(MD) No.SR3370 of 2018:

To allow this appeal and enhance the award amount in M.C.O.P.NO.547 of 2014 on the file of the Motor Accidents Claims Tribunal, (Special Sub Court, Tirunelveli, dated 16.10.2015.

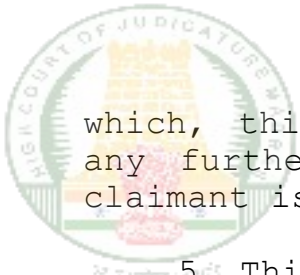
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.SELVAKUMARAN, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 621 days in filing the C.M.A. (MD).SR.No.3370 of 2018.

2.The learned counsel appearing for the petitioner submitted that the delay may be condoned on payment of costs.

3.The learned counsel appearing for the respondent Corporation submitted that the interest may be waived for the period of delay.

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.2,000/- (Rupees Two Thousand 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. Further, the appellant / claimant is not entitled to get interest for the delayed period.

5. This petition is accordingly ordered.

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sd/-
31/07/2018

/ TRUE COPY /

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

TO
THE SPECIAL SUBORDINATE JUDGE,
THE MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TIRUNELVELI.

COPY TO:

THE AUTHORISED OFFICER,
LEGAL AID SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.3799 of 2018
IN
CMA (MD) No.SR3370 of 2018
Date :31/07/2018

MS/PN/SAR-2/06.08.2018/2P.3C