



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

Monday, the Twenty Fifth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CMP (MD) No.4445 of 2018
IN
CMA (MD) No.SR18391 of 2018

THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
DOOR NO.2, VANNARPETTAI,
TIRUNELVELI.

... PETITIONER/ APPELLANT

Vs

1 PARVATHY
2 MINOR BALA SUBRAMANIAN
3 MINOR SRI HARINI
(THE RESPONDENTS 2 AND 3 ARE MINORS REPRESENTED
BY THEIR MOTHER AND GUARDIAN THE 1st RESPONDENT)

4 PAYRACHI
5 MADAKKANNU ... 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 272 days in filing the Civil Miscellaneous Appeal against the award and decree dated 29.04.2017 made in M.C.O.P. NO.1008 of 2015 on the file of the Motor accident claims Tribunal/Special Sub Court, Tirunelveli and thus render justice.

PRAYER IN CMA(MD) No.SR18391 of 2018:

To set aside the award and decree dated 29.04.2017 made in M.C.O.P No.1008 of 2015 on the file of the Motor Accident Claims Tribunal/ Special Sub Court, Tirunelveli.

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.P.PRABHAKARAN, Advocate for the petitioner and of Mr.V.SASI KUMAR, Advocate on behalf of the Respondents the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 272 days in filing the above Civil Miscellaneous Appeal.



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.1000/- (Rupees one thousand only) to the Legal Services Authority, attached to this Bench, within a period of two weeks from the date of receipt of copy of this order.

3. This petition is accordingly ordered.

4. In the event of payment of cost, the Registry is directed to number the appeal and list the same "for admission" forthwith.

sd/-
25/06/2018

/ TRUE COPY /

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

TO
THE SPECIAL SUBORDINATE JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL/
TIRUNELVELI.

COPY TO:

- 1 THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE OFFICER INCHARGE,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.4445 of 2018
IN
CMA (MD) No.SR18391 of 2018
Date :25/06/2018

MS/CM-VR/SAR-1/26.06.2018/2P.4C