



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

Monday, the Eighth day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CMP (MD) No.4599 of 2018

IN

CMA (MD) No.SR18992 of 2018

1.MARITHAI @ MARIYAMMAL

2.MINOR GOWSALYA

3.MINOR KALIAYAMMAAL

(Minor petitioners 2 & 3 are rep by
their mother & natural guardian the 1st appellant)

4.PARAMASIVAN

5.PECHIAMMAL

... PETITIONERS/APPELLANTS

Vs

1.S.RAMACHANDRAN

2.THE BRANCH MANAGER,

UNITED INDIA INSURANCE COMPANY LIMITED,

D.NO.391-A, TENKASI ROAD,

RAJAPALAYAM,

VIRUDHUNAGAR DISTRICT. ... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Condone delay of 136 days in filing the above C.M.A and thus render justice.

Prayer in CMA(MD) No.SR18992 of 2018:-

To allow this C.M.A by setting aside the order and decree made in M.C.O.P.No.71 if 2016 dated 09.08.2017 on the file of the Motor Accident Claim Tribunal/Cheif Judicial Magistrate Court, Virudhunagar District at Srivilliputhur.

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.M.THIRUNAVUKKARASU, Advocate for the petitioners and Mr.N.SIVAKUMAR, Advocate for the second Respondent and First respondent not appeared either in person or by an advocate, the court made the following order:-



The petition has been filed to condone the delay of 136 days in filing the appeal.

2. Heard the learned counsel for the petitioner. Mr. Sivaraman, learned counsel takes notice for the second respondent.

3. Though notice was served on the first respondent and his name is printed in the cause list, there is no representation either in person or through counsel.

3. Considering the contention of the learned counsel appearing for the petitioners, the delay is condoned on payment 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 the date of receipt of a copy of this order, failing which, the petition shall stand dismissed automatically, without further reference to this Court. On production of receipt, the Registry is directed to number the appeal and post the same for admission.

sd/-
08/10/2018

/ TRUE COPY /

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

TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

COPY TO

1. THE OFFICER IN-CHARGE,
ROJAVANAM, HOME FOR OLD AGED,
MELUR ROAD, UTHANGUDI-ULAGANERI,
MADURAI-625 107.
2. THE SECTION OFFICER,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.4599 of 2018
IN
CMA (MD) No.SR18992 of 2018
Date : 08/10/2018