



**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.4601 of 2018

IN

CMA(MD) No.SR17905 of 2009

A.RAJENDRAN

... PETITIONER / APPELLANT

Vs

**1 RADHAKRISHNAN
2 THE BRANCH MANAGER
NATIONAL INSURANCE CO LTD,
6, WEST VELI STEET,MADURAI.**

... RESPONDENTS / RESPONDENTS

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 524 days in filing the restoration petition in CMP(MD) No.4601 of 2018 in M.P.(MD) No.3 of 2012 in C.M.A.(MD) No.SR 17905 of 2009 dated 19.10.2016 and take it on file and thus render justice.

PRAYER IN CMA(MD)SRNo.17905 of 2009:-

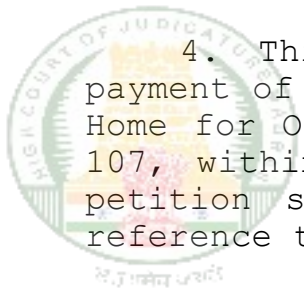
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to enhance the award of compaction Rs.1,00,000/- to 4,00,000/- and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.JAHANGIR BADUSHA, Advocate for the petitioner and of Mr. J.S. Murali, learned counsel for second respondent, the court made the following order:-

This petition has been filed to condone the delay of 524 days in filing the restoration petition in CMP(MD).No.4601 of 2018 in MP (MD).No.3 of 203 in the above Civil Miscellaneous Appeal.

2. The learned counsel appearing for the petitioner submitted that the first respondent is not necessary party to this appeal and he has also made an endorsement to that effect. The said endorsement is hereby recorded.

<https://hcservices.courts.mv.in/hcservices/> Mr. J.S. Murali, learned counsel takes notice for second 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.

sd/-

13/08/2018

WEB COPY

/ TRUE COPY /

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

TO

THE ADDITIONAL DISTRICT JUDGE (FAST TRACK COURT NO.III) /
THE MOTOR ACCIDENT CLAIMS TRIBUNAL, MADURAI.

Copy To:- The Officers Incharge,
Rojavanam, Home for Old Aged,
Melur Road, Uthangudi,
Ulaganeri, Madurai - 625 107,

ORDER

IN

CMP (MD) No.4601 of 2018

IN

CMA (MD) No.SR17905 of 2009

Date :13/08/2018

MV:MMS:SAR4:23/08/18/2P/3C