



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

Wednesday, the Twenty Ninth day of August Two Thousand Eighteen

WEB COPY

PRESENT

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

CMP (MD) No.4881 of 2018

IN

CMA (MD) No.SR21187 of 2018

THE MANAGER
ICICI GENERAL INSURANCE CO.LTD.,
D.NO.7 ARASARADI, ARAPALAYAM,
GNANOLIVUPURAM, MADURAI NAGAR,
MADURAI DISTRICT.

... PETITIONER/APPELLANT

Vs

1 PHILOMI
2 LAURENCE
3 ANDOCELIN MARY
4 THIYAGARAJAN

... 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 220 days in filing the above CMA against the judgment by the passed in M.C.O.P.No.111 of 2013 on the file of the Motor Accident Claims Tribunal cum Sub Court, Devakottai dated 3.7.2017 pending disposal of the above affidavit 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 MR.K.K.RAMAKRISHNAN, Advocate for the petitioner and of R3 & R4 not appeared either in person or by an Advocate, the court made the following order:-

This petition has been filed to condone the delay of 220 days in filing the above Civil Miscellaneous Appeal.

2. The learned counsel appearing for the petitioner submitted that the respondents 1 and 2 died and the 3rd respondent, who is already on record, is the only legal heir of the respondents 1 and 2 and he has also filed a memo to that effect. The said memo is recorded.

3. Though notice was served on the respondents 3 and 4 and their names were also printed in the cause list, there is no



representation on behalf of the respondents 3 and 4 either in person or through their counsel.

4. Heard the learned counsel appearing for the petitioner.

5. This petition is allowed and the delay is condoned on payment of cost of Rs.500/- (Rupees Five Thousand 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.

5. If the aforesaid condition is complied with within the time stipulated, and if the papers are in order, Registry is directed to number the appeal and post the same for admission.

sd/-
29/08/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL
CUM SUBORDINATE JUDGE, DEVAKOTTAI.

COPY TO : THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : THE OFFICER INCHARGE, ROJAVANM,
HOME FOR OLD AGED, MELUR ROAD,
UTHANGUDI, MADURAI-625 107.

ORDER
IN
CMP(MD) No.4881 of 2018
IN
CMA(MD) No.SR21187 of 2018
Date :29/08/2018

PK/RR/SAR-1/05.09.2018 : 2P/4C