



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

Tuesday, the Fourth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.5074 of 2018

IN

CMA(MD) No.SR.13454 of 2018

STATE EXPRESS TRANSPORT CORPORATION LIMITED,
THROUGH ITS MANAGING DIRECTOR,
PALLAVANSALAI CHENNAI.

... PETITIONER/APPELLANT

Vs

1.B.MURUGAN,

2 R.NAGALAKSHMI,

... 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 163 days in filing the Civil Miscellaneous Appeal against the Award and decree made in M.C.O.P.No.1149 of 2015 dated 18.7.2017 on the file of the Motor Accident Claims Tribunal/Special Sub Court, Tirunelveli and thus render justice.

PRAYER IN CMA(MD) No.SR.13454 of 2018:-

To allow this appeal, setaside the award and decree made in M.C.O.P.No.1149 of 2015 dated 18.07.2017 on the file of the Motor Accident Claims Tribunal/Special Sub Court, Tirunelveli.

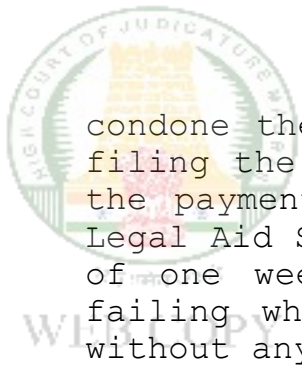
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.PRABHAKARAN, Advocate for the petitioner, the court made the following order:-

This petition has been filed to condone the delay of 163 days in filing the above Civil Miscellaneous Appeal in C.M.A.(MD) No.SR13454 of 2018.

2. Though notice was ordered in respect of the respondents, the same was returned with an endorsement "not known". Private notice to the Counsel, who appeared for the respondents before the Court below, was also returned with an endorsement "left".

<https://hcservices.ecourts.gov.in/hcservices/>

3. Considering the length of delay, this Court is inclined to



condone the delay, on terms. Accordingly, the delay of 163 days in filing the above civil miscellaneous appeal is condoned, subject to the payment of cost of Rs.500/- (Rupees Five Hundred 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.

4. This petition is accordingly ordered. On showing proof of payment, Registry is directed to number the civil miscellaneous appeal, if the papers are otherwise in order and list the same for admission on 07.12.2018.

sd/-
04/12/2018

/ TRUE COPY /

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

TO

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

COPY TO:

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

ORDER
IN
CMP (MD) No.5074 of 2018
IN
CMA (MD) No.SR.13454 of 2018
Date : 04/12/2018

AE/JC/SAR1/06.12.2018/2P/4C