



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

Thursday, the Twenty Fifth day of October Two Thousand Eighteen
PRESENT

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

CMP(MD) Nos.5179 & 5180 of 2018

IN

CMA(MD) Nos.SR20791 & 20795 of 2018

IFFCO TOKIO GENERAL INSURANCE COMPANY LTD,
THROUGH ITS BRANCH MANAGER,
NO.82, 3RD FLOOR, COURT ROAD,
NAGERCOIL.

... PETITIONER/APELLANT
IN BOTH PETITIONS

Vs

1.VIJAY
2 KULAIKATHAR

... RESPONDENTS/RESPONDENTS
IN CMP(MD) No.5179 of 2018 IN
CMA(MD) No.SR20791 of 2018

1.SIVAN
2.KULAIKATHAR

... RESPONDENTS/RESPONDENTS
IN CMP(MD) No.5180 of 2018 IN
CMA(MD) No.SR20795 of 2018

PRAYER IN IN CMP(MD) No.5179 of 2018 IN CMA(MD) No.SR20791 of 2018

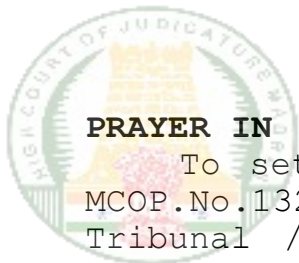
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass to condone the delay of 125 days in filing the appeal as against the fair and executable order passed in MCOP No.1321 of 2014 on the file of the Motor Accident Claims Tribunal / Special Subordinate Judge of Thirunelveli on 24.10.2017 and take the main appeal into file and thus render justice.

PRAYER IN CMA(MD) No.SR20791 of 2018 :-

To set aside the judgment and decree of 24/10/2017 passed in MCOP.No.1321 of 2014 on the file of the Motor Accident Claims Tribunal / Special Subordinate Judge of Thirunelveli by allowing this appeal.

PRAYER IN IN CMP(MD) No.5180 of 2018 IN CMA(MD) No.SR20795 of 2018

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass to condone the delay of 125 days in filing the appeal as against the fair and executable order passed in MCOP No.1322 of 2014 on the file of the Motor Accident Claims Tribunal / Special Subordinate Judge of Thirunelveli on 24.10.2017 and take the main appeal into file and thus render justice.

**PRAYER IN CMA(MD) No.SR20795 of 2018 :-**

To set aside the judgment and decree of 24/10/2017 passed in MCOP.No.1322 of 2014 on the file of the Motor Accident Claims Tribunal / Special Subordinate Judge of Thirunelveli by allowing this appeal.

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.V.SAKTHIVEL, Advocate for the petitioner in both petitions and Respondents not appeared either in person or by an advocate, the Respondents the court made the following order:-

These petitions are filed to condone the delay of 125 days in the above said appeals.

2.Heard the learned counsel appearing for the petitioner.

3. Though notice was served on the respondents and their names are also printed in the cause list, they have not chosen to appear either in person or through counsel.

4.Considering the contention of the learned counsel for the petitioner, the delay of 125 days is condoned on payment of cost of Rs.1000/- (Rupees one thousand only) (Rs.500/- each petitioner) to the Rojavanam, Homeless & Aged Care Centre, Melur Road, Uthangudi, Madurai, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically, without further reference to this Court.

sd/-

25/10/2018

/ 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:-
THE OFFICER INCHARGE
ROJAVANAM, HOMELESS AND AGED CARE CENTRE,
MELUR ROAD, UTHANGUDI, MADURAI.

ORDER IN
CMP(MD) Nos.5179 & 5180 of 2018
IN
CMA(MD) Nos.SR20791 & 20795 of 2018
Date :25/10/2018