



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

Friday, the Tenth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.6474 of 2018

IN

CMA(MD) No.SR43783 of 2016

THE ROYAL SUNDARAM ALLIANCE INSURANCE COMPANY LTD.,
CHENNAI

REPRESENTED BY DIVISIONAL MANAGER ... PETITIONER / APPELLANT

Vs

1 KAMALAM
2 DANARAJ

... 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 563 days in re-presenting the Appeal papers in CMA SR.No.43783 of 2016 on the file of the Hon'ble Court.

PRAYER IN CMA(MD) No.SR43783 of 2016:-

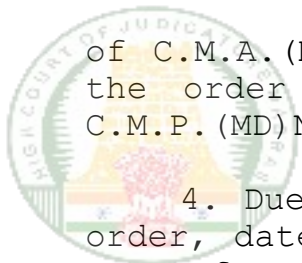
to set aside the fair and decreetal order dated 16.03.2016 made in MCOP.No.110 of 2013 on the file of Motor Accident Claims Tribunal, (Principal Sub Court), Tenkasi

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.S.SRINIVASA RAGHAVAN, Advocate for the petitioner and the court made the following order:-

This matter has been listed today, under the caption 'for being mentioned', at the instance of the learned counsel for the petitioner.

2. The learned Counsel for the petitioner would submit that C.M.P.(MD)No.6474 of 2018 (in short 'condone delay petition') was filed to condone the delay of 563 days in re-presenting the civil miscellaneous appeal in C.M.A.(MD)No.SR43783 of 2016 and this Court, on 20.07.2018, was pleased to condone the delay on payment of Rs.2,000/- to the Legal Aid Service Authority, attached to this Bench, within a period of one week.

3. In this regard, the learned Counsel would further submit that on 20.07.2018, in the cause list, the case has been listed as C.M.P.(MD)No.6474 of 2018 in C.M.A.(MD)No.SR16410 of 2018, instead



of C.M.A.(MD)No.SR43783 of 2016. However, in the certified copy of the order dated 20.07.2018, it has been correctly mentioned as C.M.P.(MD)No.6474 of 2018 in C.M.A.(MD)No.SR43783 of 2016.

4. Due to this confusion, they were not able to comply with the order, dated 20.07.2018, in time and therefore, the learned Counsel prays for further time so as to comply with the same.

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5. Perusal of records would fortify the submission made by the learned Counsel for the petitioner.

6. Since the certified copy of the order dated 20.07.2018 does not contain any error, no further order is required to be passed in this petition. However, considering the facts and circumstances of the case, this Court is inclined to grant extension of time. Accordingly, the petitioner is directed to comply with the conditional order of this Court, dated 20.07.2018, within a period of one week from today, failing which, the condone delay petition shall stand dismissed automatically, without any further reference to this Court.

7. Registry is directed to number the civil miscellaneous appeal, if the papers are otherwise in order, immediately on showing proof of payment and list the same in the usual course.

sd/-
10/08/2018

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

TO

THE PRINCIPAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, TENKASI

COPY TO:-

THE AUTHORIZED OFFICER,
LEGAL AID SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CMP(MD) No.6474 of 2018
IN
CMA(MD) No.SR16410 of 2018
Date :10/08/2018

TK/VR/SAR.2/27.08.2018/2P-3C