



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

Tuesday, the Fourth day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CMP(MD) No.6763 of 2018
IN
CMA(MD) No.SR29624 of 2018

P.RAJENDRAN @ RAJADURAI (DIED)

1 R.DHANAM

2 MINOR. SASIKUMAR

3 MINOR PANDIAMMAL

PECHIAMMAL (DIED)

PERIAKARUPPAN (DIED)

(APPELLANTS 2 AND 3 ARE MINORS REPBY GUARDIAN
AND MOTHER THE 1st Appellant R.DHANAM)]

... PETITIONERS/APPELLANTS

Vs

1 M. RAJU

2 UNITED INDIA INSURANCE CO LTD.,
RED HILLS BRANCH OFFICE,
MADRAS 600 052.

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to please to condone the delay of 1217 days in filing the above Civil Miscellaneous Appeal and thus render justice.

PRAYER IN CMA(MD) No.SR29624 of 2018:

To allow this appeal and enhanced the award of Rs.9,50,000/- in M.C.O.P.No.1578 of 2011 on the file of the Motor Accident Claims Tribunal (Principal Sub Judge), Trichirappalli, dated 08.01.2013.

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.KRISHNAMOORTHY, Advocate for the petitioner and of Mr.A.ILANGO, Advocate for R2 and R1- Exparte before Tribunal, the court made the following order:-



This petition is filed to condone the delay of 1217 days in filing/re-presenting the above said appeal.

2. Heard the learned counsel appearing for the petitioner. He submitted that the First respondent is the owner of the vehicle exparte before the Tribunal and no notice is necessary.

3. Considering the contention of the learned counsel for the petitioners, the delay of 1217 days is condoned on payment of cost of Rs.500/- (Rupees Five Hundred Only) 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/-

04/09/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS
TRIBUNAL (PRINCIPAL SUB JUDGE),
TRICHIRAPPALLI.

COPY TO:

The Rojavanam,
Homeless & Aged Care Centre,
Melur Road, Uthangudi,
Madurai.

+1. C.C. to M/S.S.KRISHNAMOORTHY Advocate SR.No. 16956

ORDER

IN

CMP (MD) No.6763 of 2018

IN

CMA (MD) No.SR29624 of 2018

Date :04/09/2018

JM/VR MMS/SAR 2/24.09.2018/2P/4C