



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

Wednesday, the Nineteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.12173 of 2018

IN

CMA(MD) No.SR46844 of 2017

1 M.SEETHAI

2 M.UMA MAHESWARI

... PETITIONERS/PETITIONERS/APPELLANTS

Vs

1 THE SECRETARY

SOURASHTRA COLLEGE,
PASUMALAI, MADURAI-6

2 THE DIVISIONAL MANAGER

UNITED INDIA INSURANCE CO.LTD.,
DIVISIONAL OFFICER-IV,
NO.52, SOUTH MASI STREET, MADURAI-1

3 SORNAVALLI (DIED)

4 SORNANATHAN

5 KOTHAI

6 M.SIVAPRAKASAM

7 M.VELLAIAPPAN

8 MEENKSHI

9 VALLIAPPAN

10 M.SUNDAR

11 R.KAMALA

... RESPONDENTS/RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to extend the time of the order dated 12.07.2018 passed by this Honourable Court in CMP(MD)No.11292 of 2017 and thus render justice.

PRAYER IN CMA(MD) No.SR46844 of 2017

To allow this Appeal and enhance the Compensation awarded in MCOP No. 51/2009 on the file of the Motor Accident Claims Tribunal/District and Sessions Judge, Communal Clash Cases Court, Madurai dated 26.10.2015 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.V.S.KARTHI for M/S.VS.KARTHI ASSOCIATES, Advocate for the petitioner and of MR.A.SHAJAHAN, Advocate on behalf of the 2nd Respondent, the court made the following order:-



Heard.

2.This petition has been filed by the petitioners seeking to extend the time granted by this Court on 12.07.2018, in C.M.P(MD) No.11292 of 2017, which was filed seeking condone the delay of 660 days in filing the above civil miscellaneous appeal.

3.This Court by order dated 12.07.2018 condoned the said delay subject to payment of cost of Rs.1,000/- to the Chief Justice Relief fund within a period of one week from the date of receipt of a copy of that order.

4.The learned counsel appearing for the petitioners would submit that in the order dated 12.07.2018, a clarification was sought for and this Court vide order dated 22.11.2018 held that no clarification is required. Since the learned counsel for the petitioner has filed the copy application seeking order copy dated 12.07.2018, prior to the clarification, the order copy has not been issued to him and therefore, the petitioners are not in a position to pay the cost as per the order dated 12.07.2018 within the time prescribed.

5. In the order dated 12.07.2018 itself it has been directed to pay the cost within a period of one week from the date of receipt of the order. The learned counsel for the petitioners would submit that since the petitioners have not been issued with the order copy, they are not in a position to pay the cost within the time prescribed. Therefore, the Registry is directed to issue the order copy dated 12.07.2018 to the learned counsel appearing for the petitioners to enable the petitioners to pay the cost on the copy application made by the learned counsel for the petitioners and the petitioners are also directed to pay the cost within a period of one week thereafter.

sd/-

19/12/2018

/ TRUE COPY /

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

TO

THE DISTRICT AND SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
COMMUNAL CLASH CASES COURT, MADURAI

+1. C.C. to M/S.VS.KARTHI ASSOCIATES Advocate SR.No.23826

ORDER IN

CMP(MD) No.12173 of 2018

IN

CMA(MD) No.SR46844 of 2017

Date :19/12/2018