



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

Monday, the Nineteenth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mr.Justice C.SARAVANAN

CMP(MD) No.11070 of 2018
IN
CMA(MD) No.SR39548 of 2017

THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(KUM) LIMITED, KUMBAKONAM

... PETITIONER/APELLANT

Vs

1 KAVITHA
2 SUBA
3 VIJAYA REKHA
4 AKILA
5 M.BALARAMAN
6 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
PURASAWALKAM,
CHENNAI-600 084.
THROUGH ITS BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
RAILWAY FEEDER ROAD, VIRUDHUNAGAR

7 PREMKUMAR
8 S.SANKARAN

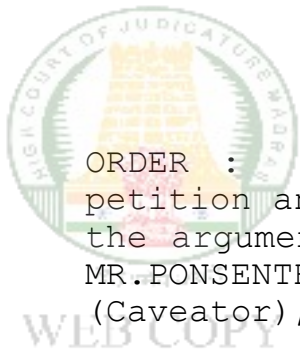
9 THE BRANCH MANAGER
RELIANCE GENERAL INSURANCE COMPANY LIMITED,
SRI MEENAKSHI PLAZA, 1ST FLOOR,
PLOT NO.HIG 55, 80 FEET ROAD,
ANNA NAGAR, MADURAI

... 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 373 days in representing the above C.M.A.SR No.39548 of 2017 and thus render justice.

PRAYER IN CMA(MD) No.SR39548 of 2017

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Subordinate Judge, Virudhunagar in MCOP No. 81 of 2010, dated 20.04.2017.



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.D.SIVARAMAN, Advocate for the petitioner and of MR.PONSENTHIL KUMARAN, Advocate on behalf of the 1st respondent (Caveator), the court made the following order:-

[Order of the Court made by **S.S.SUNDAR, J.**]

This petition has been filed to condone the delay of 373 days in re-presenting C.M.A. (MD) SR.No.39548 of 2017.

2.Heard the learned counsel appearing for the parties.

3.Though this petition is filed to condone the delay of 373 days in re-presenting the appeal papers, this Court is of the view that the delay could have been avoided, if proper care is taken and diligence is shown. Hence, this Court is inclined to allow this petition on terms.

4.Accordingly, this petition is allowed and the delay in representation is condoned on condition that the petitioner/appellant pays a sum of Rs.5,000/- to the District Collector, Pudukkottai District directly, towards Cyclone Relief Fund [Gaja], 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 further reference to this Court.

sd/-

19/11/2018

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL
VIRUDHUNAGAR

COPY TO:- THE DISTRICT COLLECTOR,
PUDUKOTTAI DISTRICT

+1. C.C. to Mr.D.SIVARAMAN Advocate SR.No.21825

ORDER

IN

CMP (MD) No.11070 of 2018

IN

CMA (MD) No.SR39548 of 2017

Date :19/11/2018