



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

Friday, the Twenty Third 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.11069 of 2018
IN
CMA(MD) No.SR41554 of 2017

1.SELVARANI,

2 MAHENDRA PRASATH,

3 MINOR THRISHA,
(3rd petitioner Minor and Rep.by her
Guardian and mother, the 1st petitioner)

4 JANAKI AMMAL, ... PETITIONERS/APPELLANTS

Vs

1.VANJINATHAN,

2 RAVICHANDRAN, ... 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 297 days in representing the above CMA (MD) SR No.41554 / 2017 and thus render justice.

PRAYER IN CMA(MD) No.SR41554 of 2017:-

To set aside the award and decree passed in M.C.O.P.No.206/2016 dated 05.10.2016 on the file of the Motor Accident Claims Tribunal/The Special District Court, Thanjavur with reference to the dismissal of the petition as against the second respondent.

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.P.LENIN, Advocate for the petitioner and of respondents not appeared either in person or by an advocate, the court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

This Civil Miscellaneous Petition is filed to condone the delay of 297 days in re-presenting the appeal papers.



2. Though, the petitioner has satisfactorily explained the reasons for the delay in the affidavit filed in support of this petition, the learned counsel for the petitioner could have avoided the delay if some diligence is shown. Hence, the delay is condoned on condition that the petitioner shall pay a sum of Rs.2,000/- to the credit of "Cyclone Relief Fund" to the District Collector, Nagapattinam District, who shall receive the amount and send towards the rehabilitation of the public who are affected by the recently hit cyclone "Gaja", within a period of one week. On filing of necessary proof for payment, the registry is directed to number the Civil Miscellaneous Appeal, if the papers are otherwise in order.

3. Accordingly, this Civil Miscellaneous Petition is allowed and the delay of 297 days in representing the appeal is condoned.

sd/-
23/11/2018

/ TRUE COPY /

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

TO

THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR.

COPY TO:-

1. THE OFFICER INCHARGE,
CYCLONE RELIEF FUND, DISTRICT COLLECTOR,
NAGAPATTINAM

2. THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.11069 of 2018
IN
CMA (MD) No.SR41554 of 2017
Date :23/11/2018

AE/JC/SAR4/30.11.2018/2P/4C