



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

Friday, the Twelfth day of October Two Thousand Eighteen

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PRESENT

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

CMP (MD) No.8244 of 2018

IN

CMA (MD) No.SR47187 of 2016

TAMIL NADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LIMITED.,
THROUGH ITS MANAGING DIRECTOR,
NEW RAILWAY STATION ROAD,
KUMBAKONAM-612 001.

... PETITIONER/APPELLANT

Vs

1 A. SIVAKUMAR
2 K.AYYAPPAN

3 THE DIVISIONAL MANAGER
NEW INDIA ASSURANCE COMPANY LTD, '
NEAR ARASAMARAM PILLAYAR KOVIL,
KAMARAJ SALAI, MADURAI-9.

... 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 182 days in filing the Civil Miscellaneous Appeal against the Award and decree made in M.C.O.P.No.1425/2014 dated 07.01.2016 on the file of the Motor Accident Claims Tribunal/Special Sub Court, Madurai and thus render justice.

PRAYER IN CMA(MD)No.SR47187 of 2016:

To allow this appeal, set aside the Award and decree made in M.C.O.P.No.1425/2014 dated 07.01.216 on the file of the Motor Accident Claims Tribunal / Special Sub Court, Madurai.

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.PRABHAKARAN, Advocate for the petitioner and of MR.S.M.MOHAN GANDHI, Advocate on behalf of the 1st Respondent, the court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>
This petition is filed to condone the delay of 182 days in filing the above Civil Miscellaneous Appeal.



2.The learned counsel appearing for the petitioner/Transport Corporation submitted that the second respondent remained ex-parte before the Tribunal and no notice is necessary for the second respondent.

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3.The learned counsel appearing for the first respondent no objection for condoning the delay.

4.considering the averments stated in the affidavit filed in support of the petition, this Court is of the opinion that the delay may be condoned, however on terms. Accordingly, this petition is ordered and the delay of 182 days is condoned on payment of cost of Rs.1,000/- (Rupees One Thousand Only) to the Rojavanam, Homeless and Aged Care Centre, Melur Road, Uthangudi, Madurai, within a period of two weeks from the date on which, this petition shall stand dismissed automatically without further reference to this Court.

sd/-
12/10/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
SPECIAL SUBORDINATE JUDGE, MADURAI.

COPY TO : THE ROJAVANAM, HOMELESS AND AGED CARE CENTRE,
MELUR ROAD, UTHANGUDI, MADURAI,

ORDER
IN
CMP (MD) No.8244 of 2018
IN
CMA (MD) No.SR47187 of 2016
Date :12/10/2018

PK/RR/SAR-1/27.10.2018 : 2P/3C