



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

Thursday, the Eleventh day of October Two Thousand Eighteen

PRESENT

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

CMP (MD) No.8602 of 2018

IN

CMA No.SR33566 of 2018

THE RELIANCE GENERAL INSURANCE COMPANY LTD.,
P.L.A.KANGU TOWERS, 2ND FLOOR,
DOOR NO.11A, 11TH CROSS, THILLAI NAGAR,
THIRUCHIRAPPALLI TOWN ... PETITIONER/APELLANT

Vs

1.A.SAMINATHAN
2 S.KASTHURI
3 M.SUBRAMANIAN ... 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 785 of days in filing appeal as against the award passed in MCOP No.270/2015 dated 12.02.2016 on the file of the Motor Accidents Claims Tribunal/II Additional District Judge, Thanjavur till the disposal of the main appeal and thus render justice.

PRAYER IN CMA No.SR33566 of 2018:-

To set aside the judgment and decree passed by the Motor Accidents Claims Tribunal/II Additional District Judge, Thanjavur in MCOP No.270/2015 dated 12.02.2016 and allow the appeal.

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.SAKTHIVEL, Advocate for the petitioner and Respondents 1 and 2 not appeared either in person or by an advocate, the court made the following order:-

This petition has been filed to condone the delay of 785 days in filing the above appeal.

2.Heard the learned counsel appearing for the petitioner.

3.The learned counsel appearing for the petitioner submitted that the third respondent is not necessary in this petition and notice may be dispensed with.



4. Though notice has been served on the respondents 1 and 2 and their names are printed in the cause list, there is no representation either in person or through counsel.

5. Considering the contention of the learned counsel for the petitioner, the delay of 785 days is condoned and this petition is ordered 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 eight 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.

6. The Registry is directed to number the appeal, if it is otherwise in order and post the same for admission.

sd/-
11/10/2018

/ TRUE COPY /

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

TO

THE II ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR.

COPY TO:-

1. THE OFFICER INCHARGE
ROJAVANAM, HOMELESS AND AGED CARE CENTRE,
MELUR ROAD, UTHANGUDI, MADURAI

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

ORDER
IN
CMP (MD) No.8602 of 2018
IN
CMA No.SR33566 of 2018
Date :11/10/2018

AE/JC/SAR4/26.10.2018/2P/4C