



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

Thursday, the Twenty Fifth day of October Two Thousand Eighteen

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PRESENT

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

CMP (MD) Nos.10164 and 10165 of 2018

IN

CMA (MD) Nos.SR6323 and 6327 of 2013

THE MANAGER,
NATIONAL INSURANCE COMPANY LTD,
31/2E, SALEM MAIN ROAD, METTUR DAM,
R.S.P.B. NO.19,
METTUR DAM, SALEM

... APPELLANT/4th RESPONDENT
IN CMP (MD) NO.10164 OF 2018

THE MANAGER,
NATIONAL INSURANCE COMPANY LTD,
31/2E, SALEM MAIN ROAD, METTUR DAM,
R.S.P.B. NO.19,
METTUR DAM, SALEM

... APPELLANT/2nd RESPONDENT
IN CMP (MD) NO.10165 OF 2018

Vs

1 CHINNAIYAN
2 RUKMANI
3 MADESWARAN
4 ANBUDURAI
5 THE MANAGER
NEW INDIA ASSURANCE COMPANY LIMITED,
THANJAVUR

...RESPONDENTS/PETITINERS 1 & 2
...3rd RESPONDENT/1st RESPONDENT
...4th RESPONDENT/3th RESPONDENT
...5th RESPONDENT/4th RESPONDENT
IN CMP (MD) NO.10164 OF 2018

1 CHINNAIYAN
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NEW INDIA ASSURANCE COMPANY LIMITED,
THANJAVUR

...RESPONDENTS/PETITINERS 1 & 2
...3rd RESPONDENT/1st RESPONDENT
...4th RESPONDENT/3th RESPONDENT
...5th RESPONDENT/4th RESPONDENT

6.BALATHANDAYUTHAPANI
7.SATHIYAVATHY

...6th & 7th RESPONDENTS/RESPONDENTS
IN CMP (MD) NO.10165 OF 2018

Prayer in CMP (MD). 10164/ 2018 :

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

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 399 days in paying the deficit court fee of Rs.8800/- in appeal CMA SR No.6323 of 2013 and thus render justice.

Prayer in CMP(MD). 10165/ 2018 :

Pleaded to condone the delay of 399 days in paying the deficit court fees of Rs.8210/- in appeal CMA SR No.6327/2013 and thus render justice

PRAYER IN CMA(MD)SR6323 OF 2013 IN CMP(MD)NO.10164/2018

Petition praying that in the circumstances stated there in and in the affidavit filed therewith the High Court will be pleased to modify the judgment and decree dated 30.04.2012 by and made in M.C.O.P.NO.269/2009 on the file of the Motor accident Claims tribunal / Principal Subordinate Judge, Thanjavur and thus render justice.

PRAYER IN CMA(MD)SR6327 OF 2013 IN CMP(MD)NO.10165/2018

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the judgment and decree dated 03.04.2012 by and made in M.C.O.P.NO.270/2009 on the file of the Motor Accident Claims Tribunal / Principal Subordinate Judge, Thanjavur 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 M/S.R.SRINIVASAN, Advocate for the petitioner and of Mr.B.RAJESH SARAVANN, Advocate for R5 in both petitions and Mr.G.KARNAN, Advocate for R4, 6 & 7 in CMA SR6327/2013, the court made the following order:-

There petitions are filed to condone the delay of 92 day in paying the deficit court fee in the above said appeals.

2.Heard the learned counsel appearing for the petitioner.

3.Considering the contention of the learned counsel for the petitioner the delay of 92 days is condoned on payment of cost of Rs.1000/-(Rupees Thousand only) (Rs.500/- each petitioner) to the Rojavanam, Homeless & Aged Care Centre, Melur Road, Uthangudi, Madurai, Within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stands dismissed automatically, without further reference to this court.

sd/-

25/10/2018

/ TRUE COPY /



1. THE PRINCIPAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR.

2. THE OFFICER INCHARGE,
ROJAVANAM, HOMELESS & AGED CARE CENTRE,
MELUR ROAD, UTHANGUDE, MADURAI.

+1. C.C. to M/S.R.SRINIVASAN Advocate SR.No.20471

PS/PN/SAR-4/31/10/2018:2P/4C

ORDER

IN

CMP(MD) No.10164 and 10165 of 2018

IN

CMA(MD) Nos.SR6323 and SR6327 of 2013

Date :25/10/2018