



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

Friday, the Twenty Sixth day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CMP (MD) No.9641 of 2018

IN

CMA (MD) No.SR35532 of 2018

THE MANAGING DIRECTOR,
TAMIL NADU STATE EXPRESS TRANSPORT CORPORATION,
PALLAVAN SALAI,
CHENNAI-600 002.

... PETITIONER/APPELLANT

Vs

1 V.MANGALA KUMARI
2 G.AJAY VINCENT
3 G.ABISHA VINCENT
4 AJISHA VINCENT (MINOR)
(THE 4th RESPONDENT IS THE MINOR REPRESENTED
BY HER MOTHER AND GUARDIAN THE 1st RESPONDENT)

5 SIVA SANKAR
(THE 5TH RESPONDENT IS THE DRIVER OF
THE APPELLANT AND THAT GIVEN UP)

6 TATA AIG GENERAL INSURANCE COMPANY LTD.,
PENINSULA CORPORATE PARK,
NICHOLAS PIRAMAL TOWER, 9TH FLOOR,
GANPATRAOKADAM MARG, LOWER PANEL,
MUMBAI 400 013.

... 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 89 days in filing the CMA against the Award and Decree made in MCOP No.169 of 2012 dated 17.01.2018 on the file of the MACT/Sub Court, Padmanabhapuram made in and thus render justice.

PRAYER IN CMA (MD) No.SR35532 of 2018:

To allow this appeal, set aside the award and decree made in M.C.O.P.No.169/2012 dated 17.01.2018 on the file of the Motor accident claims Tribunal/Sub Court, Padmanabhapuram.



the arguments of Mr.P.PRABHAKARAN, Advocate for the petitioner and of R1 to R3 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 89 days in filing the above Civil Miscellaneous Appeal.

2.Though notice was served on the respondents 1 to 4 and their names are printed in the cause list, they neither appeared in person nor through the counsel.

3.Heard the learned counsel appearing for the petitioner.

4. This petition is allowed and the delay is condoned on payment of cost of Rs.500/- (Rupees Five Hundred only) to Rojavanam, Home for Old Aged, Melur Road, Uthangudi, Ulaganeri, Madurai - 625 107, within a period of one week from today, failing which this petition shall stand dismissed automatically without any further reference to this Court.

5. If the aforesaid condition is complied with within the time stipulated, and if the papers are in order, Registry is directed to number the appeal and post the same for admission.

sd/-
26/10/2018

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL, PADMANABHAURAM

COPY TO: THE OFFICER IN CHARGE,
THE ROJAVANAM, HOME FOR OLD AGED, MELUR ROAD,
UTHANGUDI, ULAGANERI, MADURAI - 625 107,

COPY TO: THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.9641 of 2018
IN
CMA(MD) No.SR35532 of 2018
Date :26/10/2018