

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.11491 of 2016
and C.M.A.SR.No.38996 of 2016

1.Palaniammal
2.Lakshmi
3.Minor.Prakash

.. Petitioner

(Minor third petitioner represented by his mother and
natural guardian, the second petitioner herein)

Vs.

1.Velu

2.The United India Insurance Limited,
38, Anna Salai, Chennai.

.. Respondents

PRAYER: C.M.P.No.11491 of 2016 is filed under Section 173(1) of the Motor Vehicles Act, 1988, to condone the delay of 2109 days in filing the above appeal.

C.M.A.SR.No.38996 of 2016 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 08.04.2010 made in M.C.O.P.No.4938 of 2006 on the file of the Motor Accidents Claims Tribunal, Chief Small Causes Court, Chennai.

For Petitioners : Mr.S.Ravikumar

ORDER

This Civil Miscellaneous Petition is filed to condone the delay of 2109 days in filing the above C.M.A.SR.No.38996 of 2016, which is filed against the award dated 08.04.2010 made in M.C.O.P.No.4938 of 2006 on the file of the Motor Accidents Claims Tribunal, Chief Small Causes Court, Chennai.

2.Heard the learned counsel appearing for the petitioners and perused the entire materials available on record.

3.According to the petitioners, they could not able to pay Court fee immediately. Hence, the delay of 2109 days has occurred in filing the appeal. The petitioners have not explained as to how and when they arranged funds to pay the Court fee. In view of the same, this Court is not inclined to condone the delay of 2109 days. Accordingly, C.M.P.No.11491 of 2016 stands dismissed and consequently, C.M.A.SR.No.38996 of 2016 is rejected at the SR stage itself. No costs.

07.02.2019.

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To

1.The Chief Judge,
Motor Accidents Claims Tribunal,
Small Causes Court,
Chennai.

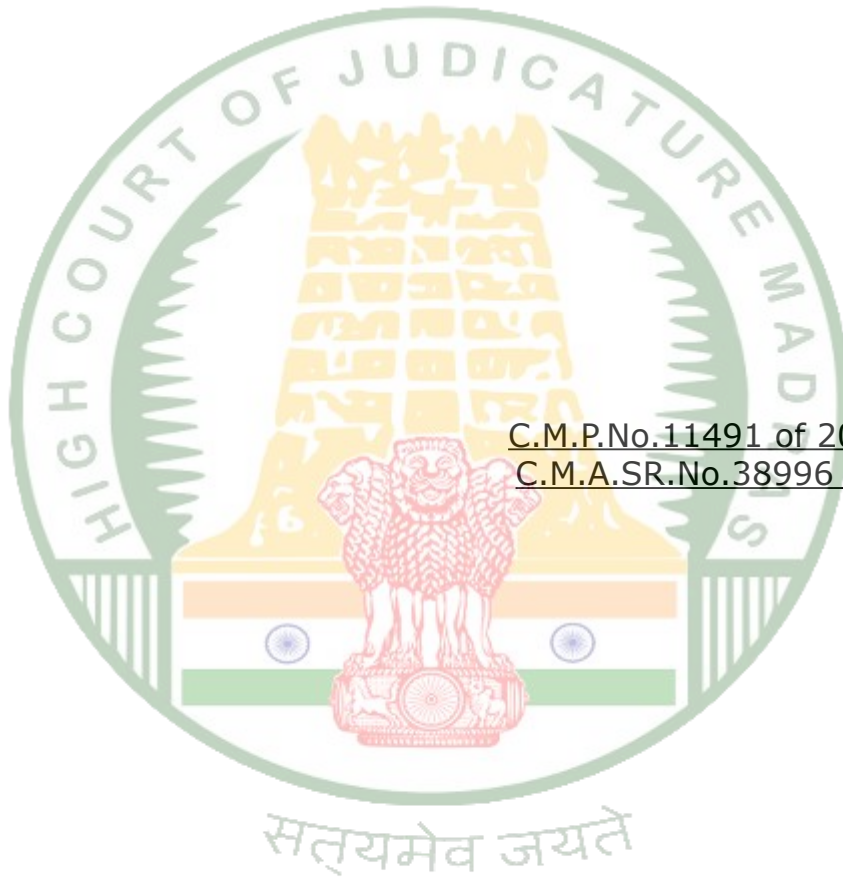
2.The Section Officer,
VR Section,
High Court,
Madras.



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V.M.VELUMANI, J.

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C.M.P.No.11491 of 2016 and
C.M.A.SR.No.38996 of 2016

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