

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.1303 of 2016
and
C.M.A.SR.No.4295 of 2016

C.Kumar

.. Petitioner

Vs.

1.C.Manickam

2.The New India Assurance Co., Ltd.,
Rep. by it's Divisional Manager,
Motor Third Party Claims Cell,
No.69/70, Sheikpet nadu street
Kancheepuram – 631 501.

3. The Managing Director,
TNSTC (Villupuram Division III) Ltd.,
Kancheepuram – 631 501.

.. Respondents

PRAYER: C.M.P.No.1303 of 2016 is filed under Section 173(1) of the Motor Vehicles Act, to condone the delay of 810 days in filing the above appeal.

C.M.A.SR.No.4295 of 2016 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 22.11.2012 made in M.C.O.P.No.240 of 2009 on the file of the Motor Accident Claims Tribunal, Principal Sub Court, Chengalpattu.

For Petitioner : Ms.R.A.Srividhya
For R1 & R3 : No appearance
For R2 : Mr.J.Michael Visuvasam

ORDER

C.M.P.No.1303 of 2016 is filed to condone the delay of 810 days in filing the above appeal.

C.M.A.SR.No.4295 of 2016 is filed against the judgment and decree dated 22.11.2012 made in M.C.O.P.No.240 of 2009 on the file of the Motor Accident Claims Tribunal, Principal Sub Court, Chengalpattu.

2.Heard the learned counsel appearing for the petitioner as well as second respondent and perused the materials available on record.

3.According to the petitioner, due to difficulties faced, the petitioner was struggling for his livelihood and could not meet the lower court counsel immediately after the award. Hence the delay of 810 days has occurred. The reason given by the petitioner for

condoning the delay of 810 days in filing the appeal is not valid and sufficient. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.1303 of 2016 stands dismissed and consequently, C.M.A.SR.No.4295 of 2016 is rejected. No costs.

28.01.2019

rst/kj

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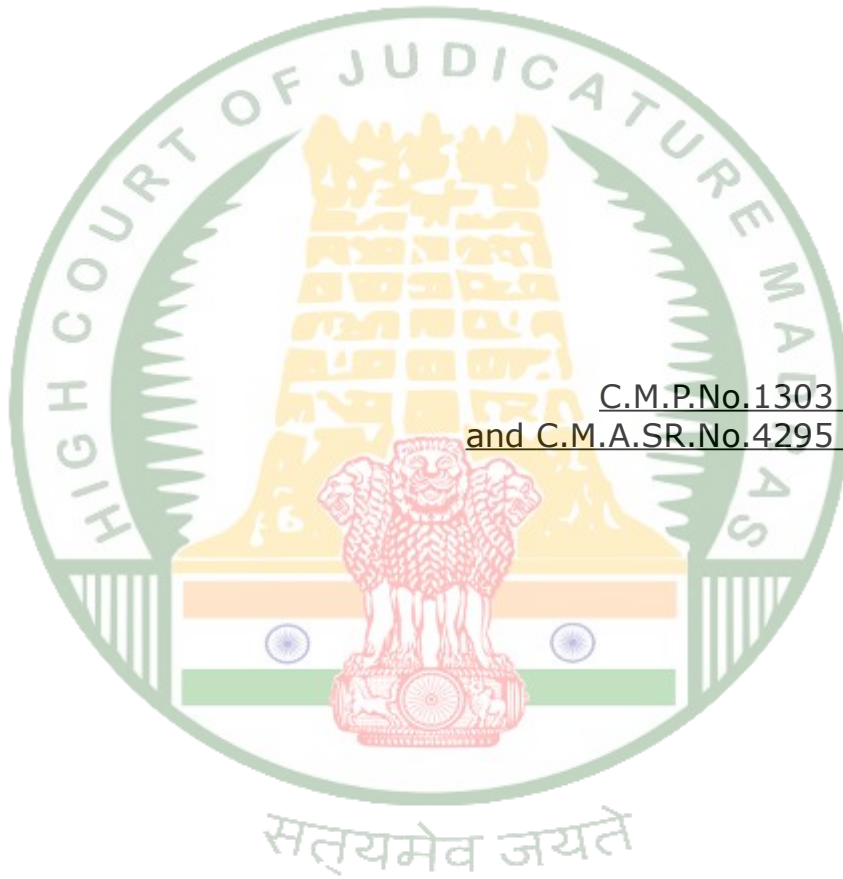
Motor Accidents Claims Tribunal,
Principal Subordinate Judge,
Chengalpattu.



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V.M.VELUMANI, J.

rst/kj



C.M.P.No.1303 of 2016
and C.M.A.SR.No.4295 of 2016

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