

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.3499 of 2019
and
C.M.A.SR.No.40809 of 2009

1.Lakshmanan
2.Alamelu

.. Petitioners

Vs.

1.K.Pandurangan
2.Divisional Manager,
United India Insurance Company Limited,
No.46, Katpadi Road, Vellore.

.. Respondents

PRAYER: C.M.P.No.3499 of 2019 is filed under Section 173 (1) of the Motor Vehicles Act, 1988, to condone the delay of 1435 days in filing the above appeal.

C.M.A.SR.No.40809 of 2009 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 28.10.2005 made in M.A.C.T.O.P.No.196 of 2004 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Thiruvannamalai.

For Petitioners : Mr.F.Terry Chellaraja
for M/s.M.Malar

ORDER

C.M.P.No.3499 of 2019 is to condone the delay of 1435 days in filing the above appeal.

C.M.A.SR.No.40809 of 2009 is filed against the judgment and decree dated 28.10.2005 made in M.A.C.T.O.P.No.196 of 2004 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Thiruvannamalai.

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

3.According to the petitioners, they could not mobilise the funds to file appeal in time and hence, the delay of 1435 days has occurred in filing the appeal. The petitioners have not given any particulars as to how and when they arranged funds to file appeal. The reason given by the petitioner is not valid and sufficient for condoning the delay of 1435 days in filing the appeal. In view of the

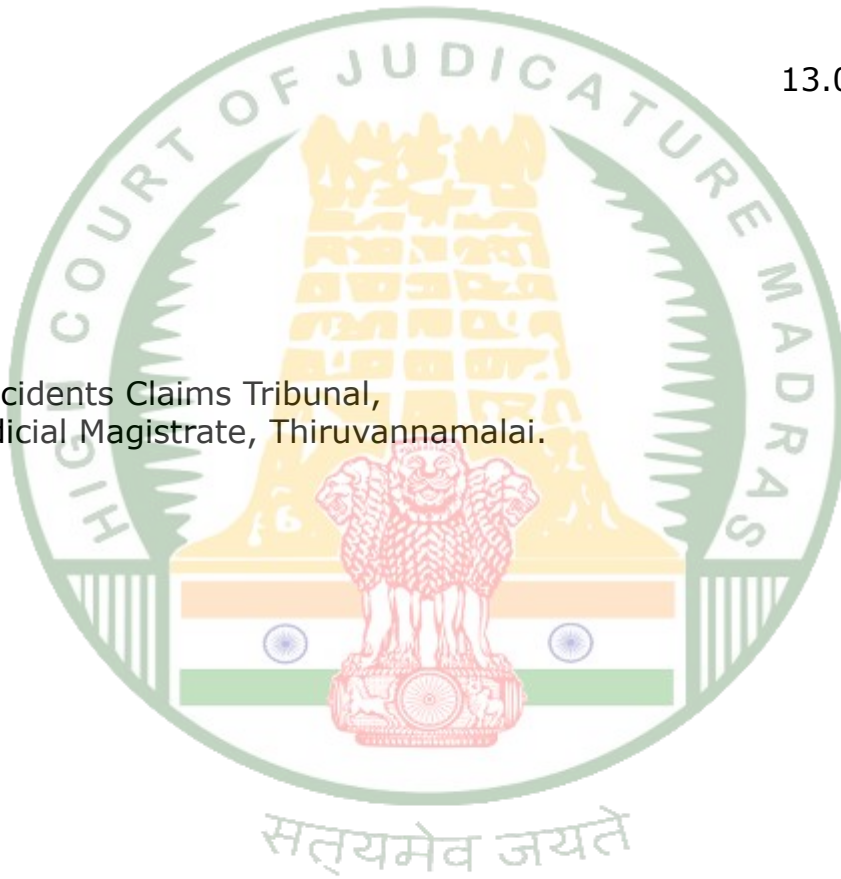
same, this Court is not inclined to condone the delay of 1435 days in filing the appeal. Accordingly, C.M.P.No.3499 of 2019 stands dismissed and consequently, C.M.A.SR.No.40809 of 2009 is rejected. No costs.

13.02.2019

kj

To

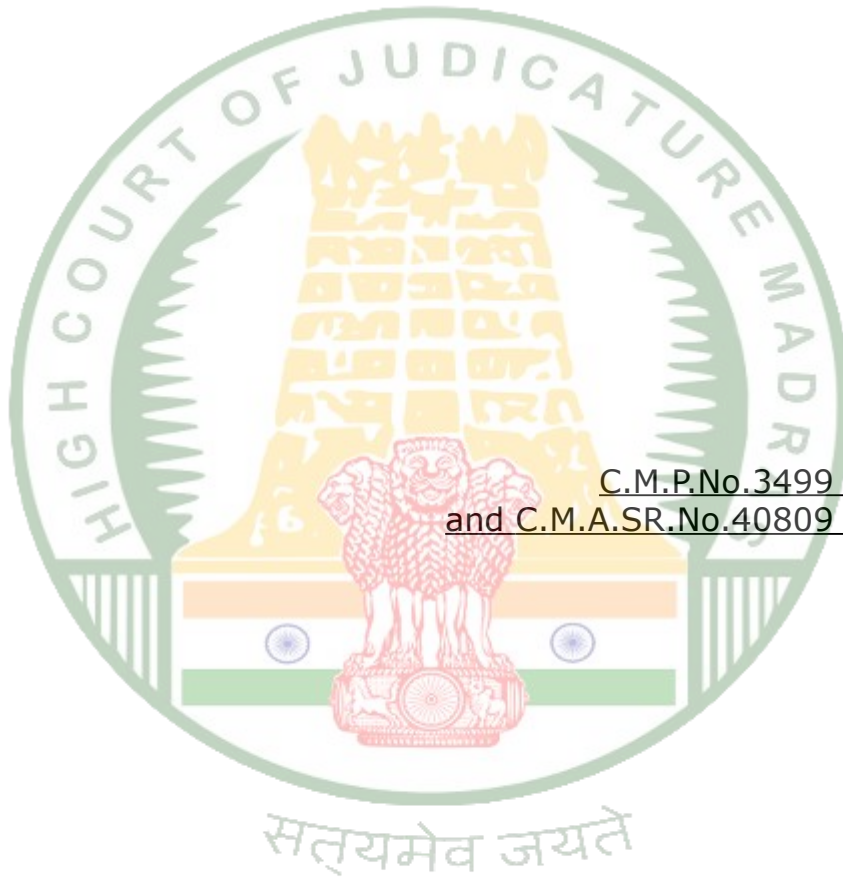
Motor Accidents Claims Tribunal,
Chief Judicial Magistrate, Thiruvannamalai.



WEB COPY

V.M.VELUMANI, J.

kj



C.M.P.No.3499 of 2019
and C.M.A.SR.No.40809 of 2009

WEB COPY 13.02.2019