

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.933 of 2018
and C.M.A.SR.No.96014 of 2017

1.Jeevalakshmi
2.Minor.B.Sathish
3.B.Lakshmi
4.Minor.B.Sathya
B.Sangeetha (died)
5.Minor.B.Sarmila
6.Minor.B.Santhya
K.Seethammal (died) .. Petitioners
(Minor second petitioner is represented by
his mother/next friend, the first petitioner herein)
(Minor petitioners 4, 5 & 6 are represented by
their mother/next friend, the third petitioner herein)

The Managing Director,
Metropolitan Transport Corporation,
Pallavan House, Anna Salai,
Chennai - 600 002. .. Respondents

PRAYER: C.M.P.No.933 of 2018 is filed under Section 173(1) of the Motor Vehicles Act, 1988, to condone the delay of 1830 days in filing the above appeal.

C.M.A.SR.No.96014 of 2017 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated

21.06.2012 made in M.C.O.P.No.188 of 2003 on the file of the Motor Accidents Claims Tribunal, II Small Causes Court, Chennai.

For Petitioners : Mr.J.Ramkumar

For Respondent : Mr.S.Sivakumar

ORDER

This Civil Miscellaneous Petition is filed to condone the delay of 1830 days in filing the above C.M.A.SR.No.96014 of 2017, which is filed against the award dated 21.06.2012 made in M.C.O.P.No.188 of 2003 on the file of the Motor Accidents Claims Tribunal, II 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 mobilise funds to file appeal in time. Hence, delay of 1830 days has occurred in filing the appeal. The petitioners have not explained as to how and when they arranged funds to file the appeal. In view of the same, this Court is not inclined to condone the delay.

Accordingly, C.M.P.No.933 of 2018 stands dismissed and consequently, C.M.A.SR.No.96014 of 2017 is rejected at the SR stage itself. No costs.

28.01.2019.

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To

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

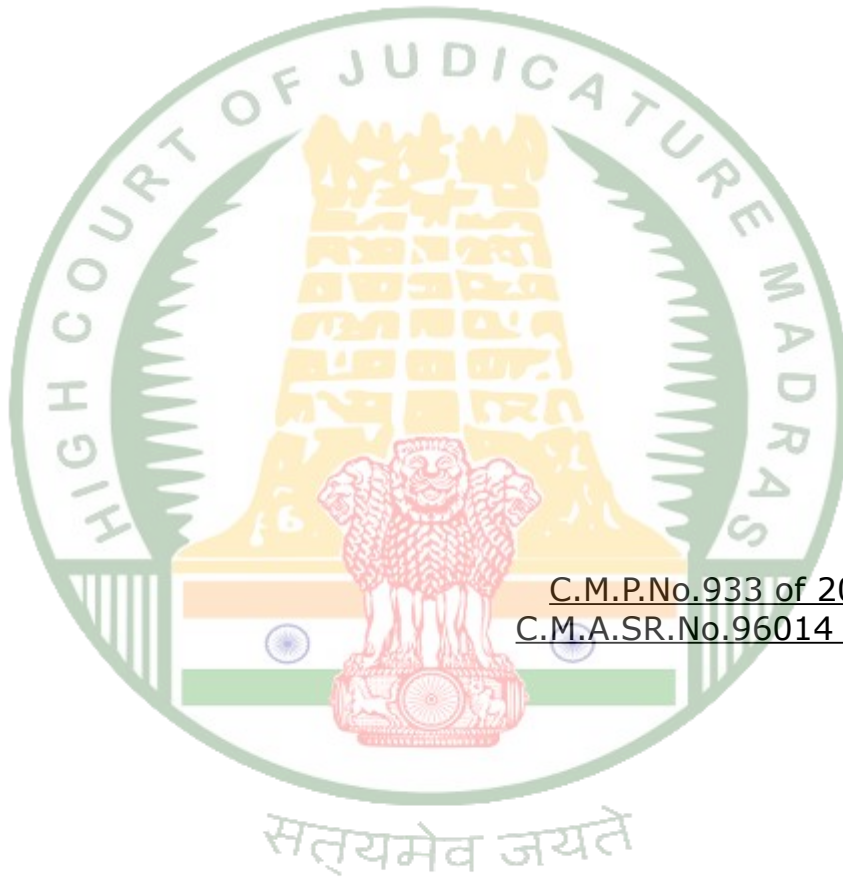
2.The Section Officer,
VR Section,
High Court, Madras.



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V.M.VELUMANI, J.

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C.M.P.No.933 of 2018 and
C.M.A.SR.No.96014 of 2017

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28.01.2019