

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.20629 of 2016 and
C.M.A.SR.No.94517 of 2016

E.M.Johnwilson @ Vincent

.. Petitioner

Vs.

1.C.Danabal

2.R.Chitanbaram

3.The Branch Manager,
National Insurance Co. Ltd.,
Branch Office at Sundaram Building,
25, Coimbatore Road, Pollachi,
Coimbatore District - 645 001.

.. Respondents

PRAYER: C.M.P.No.20629 of 2016 is filed under Section 173(1) of the Motor Vehicles Act, 1988, to condone the delay of 1063 days in filing the above appeal.

C.M.A.SR.No.94517 of 2016 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 25.10.2013 made in M.C.O.P.No.7 of 2010 on the file of Motor Accidents Claims Tribunal, I Additional Sub Court, Erode.

For Petitioner : Mr.R.Nalliyappan

For R3 : Mr.S.Arun Kumar

ORDER

This Civil Miscellaneous Petition is filed to condone the delay of 1063 days in filing the above C.M.A.SR.No.94517 of 2016, which is filed against the judgment and decree dated 25.10.2013 made in M.C.O.P.No.7 of 2010 on the file of Motor Accidents Claims Tribunal, I Additional Sub Court, Erode.

2.Heard the learned counsel for the petitioner and perused all the materials available on record.

3.According to the petitioner, the copy of the award was received by the Lower Court counsel and due to dengue fever he could not collect the same and file the appeal in time. Hence, the delay of 1063 days has occurred. The reason given by the petitioner is not valid and sufficient for condoning the delay of 1063 days. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.20629 of 2016 stands dismissed and consequently, C.M.A.SR.No.94517 of 2016 is rejected at the SR stage itself. No costs.

11.02.2019

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To

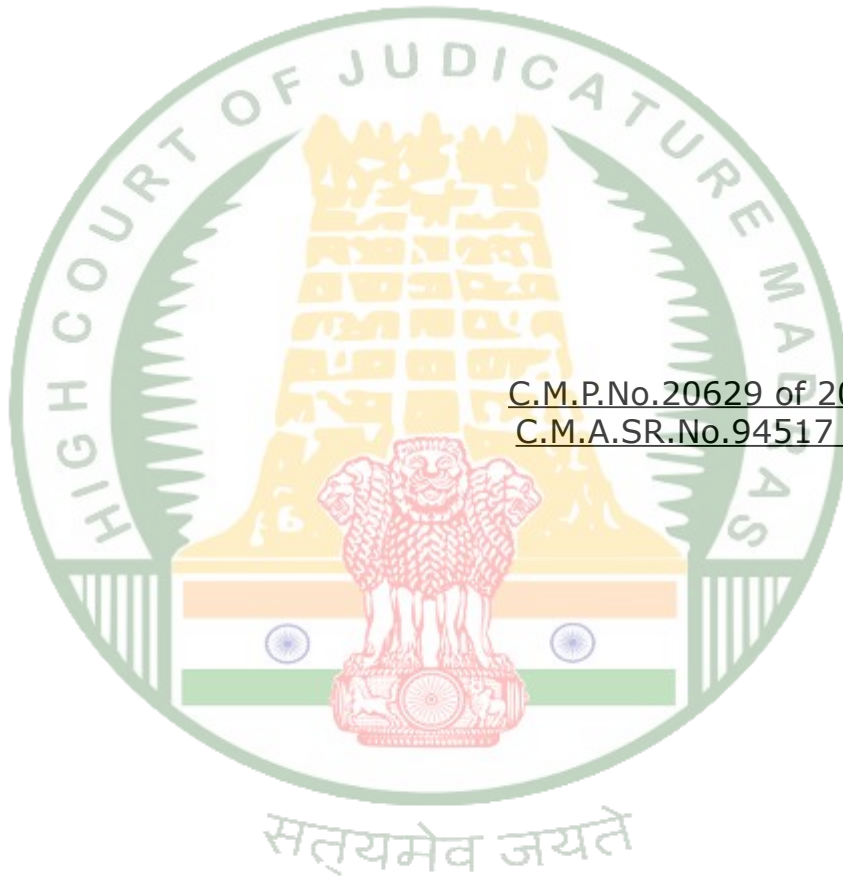
1.The I Additional Subordinate Judge,
Motor Accidents Claims Tribunal,
Erode.

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



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V.M.VELUMANI, J.
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C.M.A.SR.No.94517 of 2016

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