

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.5464 of 2016
and
C.M.A.SR.No.22280 of 2016

Varatharajan

.. Petitioner

Vs.

1.Sethupathi

2.National Insurance Co. Ltd.,
No.751, Anna Salai,
Chennai-600 002.

.. Respondents

(R1 was set exparte in the trial Court)

PRAYER: C.M.P.No.5464 of 2016 is filed under Section 173 (1) of the Motor Vehicles Act, 1988, to condone the delay of 1004 days in filing the above appeal. सत्यमेव जयते

C.M.A.SR.No.22280 of 2016 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 05.02.2013 made in M.A.C.T.O.P.No.66 of 2010 on the file of the Motor Accident Claims Tribunal, IV Judge, Small Causes Court, Chennai.

For Petitioner : Mr.C.Munnusamy

For R2 : Mr.D.Chandran

ORDER

C.M.P.No.5464 of 2016 is filed to condone the delay of 1004 days in filing the above appeal.

C.M.A.SR.No.22280 of 2016 is filed against the judgment and decree dated 05.02.2013 made in M.A.C.T.O.P.No.66 of 2010 on the file of the Motor Accident Claims Tribunal, IV Judge, Small Causes Court, Chennai.

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

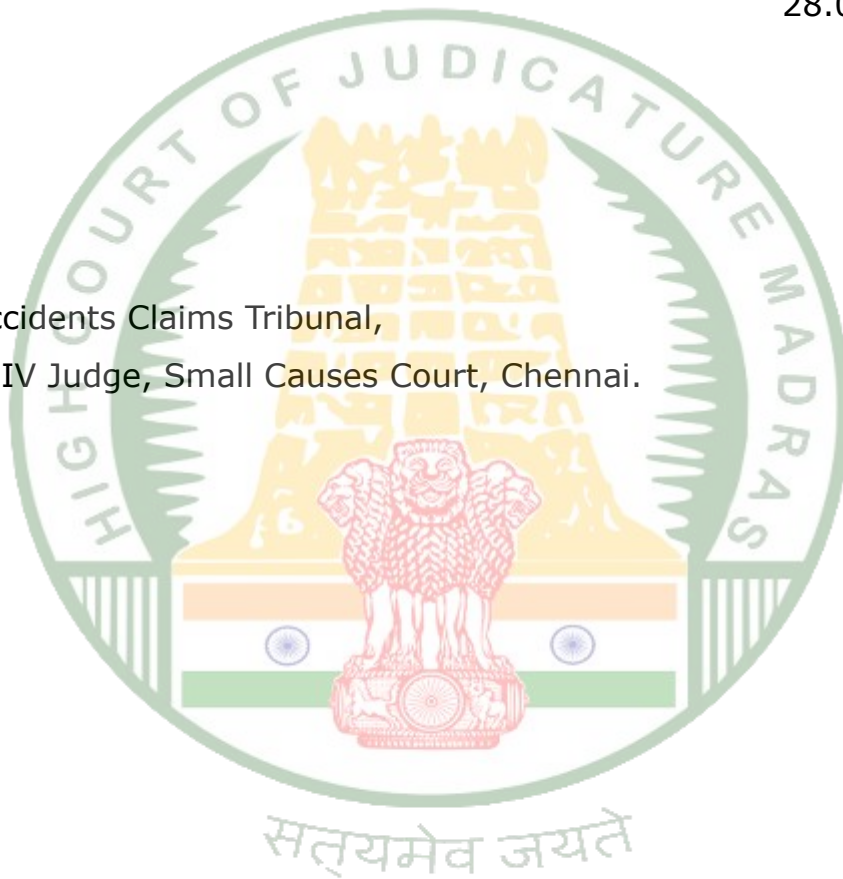
3.According to the petitioner, he was suffering from severe viral fever and hence he could not file the appeal in time and the delay of 1004 days has occurred in filing the appeal. The reason given by the petitioner is not valid and sufficient to condone the delay. In view of the same, this Court is not inclined to condone the

delay. Accordingly, C.M.P.No.5464 of 2016 stands dismissed and consequently, C.M.A.SR.No.22280 of 2016 is rejected. No costs.

28.01.2019

rst/kj

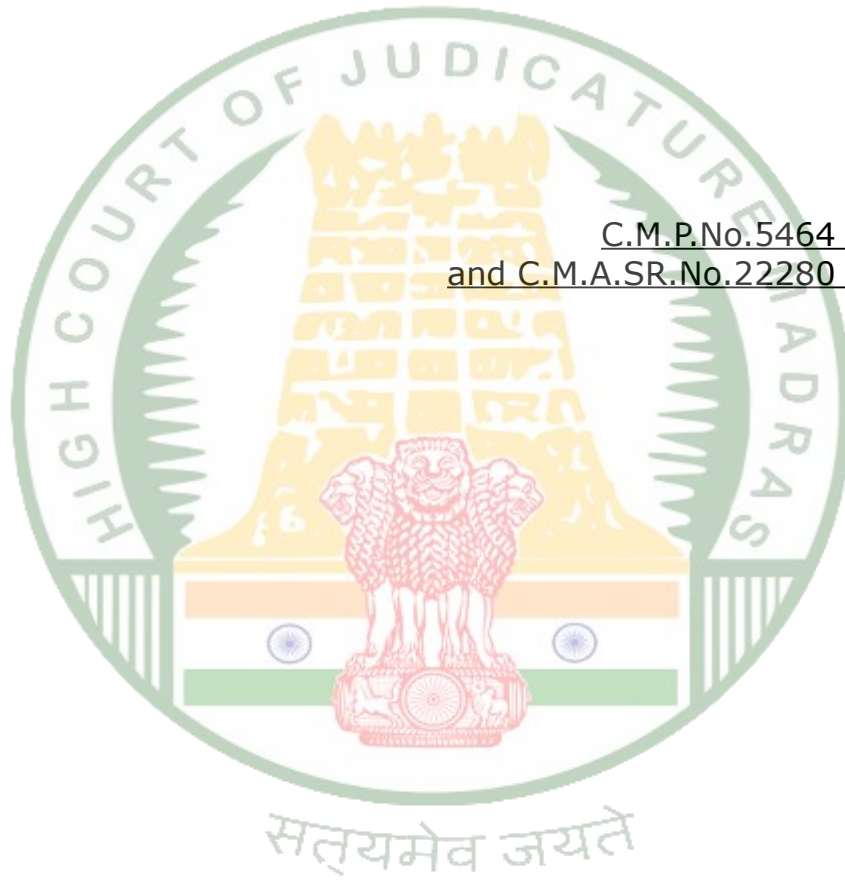
To
Motor Accidents Claims Tribunal,
Learned IV Judge, Small Causes Court, Chennai.



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V.M.VELUMANI, J.

rst/kj



C.M.P.No.5464 of 2016
and C.M.A.SR.No.22280 of 2016

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