

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.7140 of 2016
and C.M.A.SR.No.30581 of 2016

M.Neelakandan .. Petitioner

Vs.

1.S.Sriramappa
2.Shriram General Insurance Co., Ltd.,
No.66, II Floor, City Centre Complex,
Thirumalaipillai Road,
T.Nagar, Chennai - 17. .. Respondents

PRAYER: C.M.P.No.7140 of 2016 is filed to condone the delay of 1545 days in preferring the above C.M.A.SR.No.30581 of 2016.

C.M.A.SR.No.30581 of 2016 is filed under Section 173 of Motor Vehicles Act, 1988, against the award and decree dated 18.10.2011, made in M.C.O.P.No.4907 of 2009 on the file of the Motor Accidents Claims Tribunal cum Additional District Judge, Fast Track Court-I, Chennai.

For Petitioner : M/s.S.Ravikumar

ORDER

The present petition is filed to condone the delay of 1545 days in filing the appeal against the award dated 18.10.2011, made in M.C.O.P.No.4907 of 2009 on the file of the Motor Accidents Claims Tribunal cum Additional District Judge, Fast Track Court-I, Chennai.

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

3.According to the petitioner, he was not ready to pay the Court fee and hence, the delay of 1545 days has occurred in filing the appeal. The delay is neither wilful nor wanton.

4.From the averments made in the affidavit filed in support of this petition, it is seen that the counsel for the petitioner applied for certified copy of the award on 09.10.2014. The petitioner has not given any reason for not filing the copy application immediately and appeal in time. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.7140 of 2016 stands dismissed and consequently, C.M.A.SR.No.30581 of 2016 is rejected

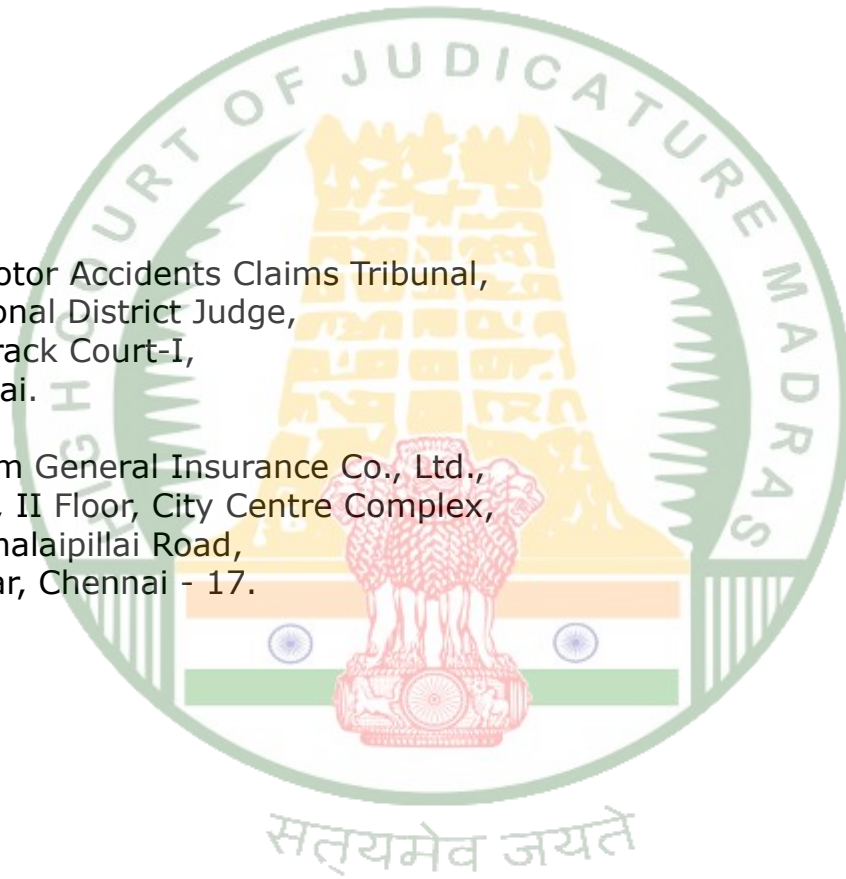
at the SR stage itself. No costs.

29.01.2019

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To

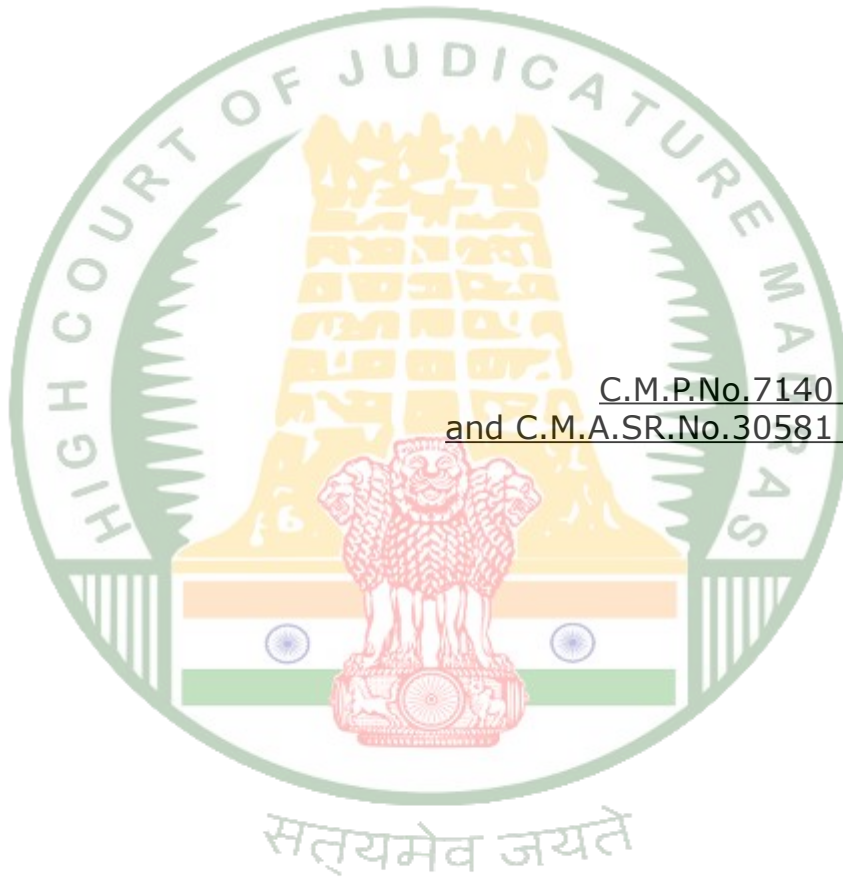
- 1.The Motor Accidents Claims Tribunal,
Additional District Judge,
Fast Track Court-I,
Chennai.
- 2.Shriram General Insurance Co., Ltd.,
No.66, II Floor, City Centre Complex,
Thirumalaipillai Road,
T.Nagar, Chennai - 17.



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V.M.VELUMANI,J.

gsa



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