

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.8954 of 2016
and C.M.A.SR.No.37461 of 2016

Mohanan @ Mohan

.. Petitioner

Vs.

1.V.Baskar
2.National Insurance Company Limited,
No.157, Anna Salai,
Chennai - 2.

.. Respondents

PRAYER: C.M.P.No.8954 of 2016 is filed to condone the delay of 1965 days in Preferring the above C.M.A.SR.No.37461 of 2016.

C.M.A.SR.No.37461 of 2016 is filed under Section 173 of Motor Vehicles Act, 1988, against the award and decree dated 11.08.2010, made in M.C.O.P.No.4942 of 2007 on the file of the Motor Accidents Claims Tribunal cum VI Judge, Small Causes Court, Chennai.

For Petitioner : M/s.S.Ravikumar

For R2 : M/s.J.Chandran

ORDER

The present petition is filed to condone the delay of 1965 days in filing the appeal against the award dated 11.08.2010, made in M.C.O.P.No.4942 of 2007 on the file of the Motor Accidents Claims Tribunal cum VI Judge, Small Causes Court, Chennai.

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

3.According to the petitioner, he was not immediately ready to pay the Court fee and hence, the delay of 1965 days has occurred in filing the appeal. The delay is neither wilful nor wanton. The reason given by the petitioner is not valid to condone the delay of 1965 days. The petitioner has not given any details with regard to arrangement of funds and as to how and when he arranged funds for filing the appeal. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.8954 of 2016 stands dismissed and consequently, C.M.A.SR.No.37461 of 2016 is rejected at the SR stage itself. No costs.

29.01.2019

To

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

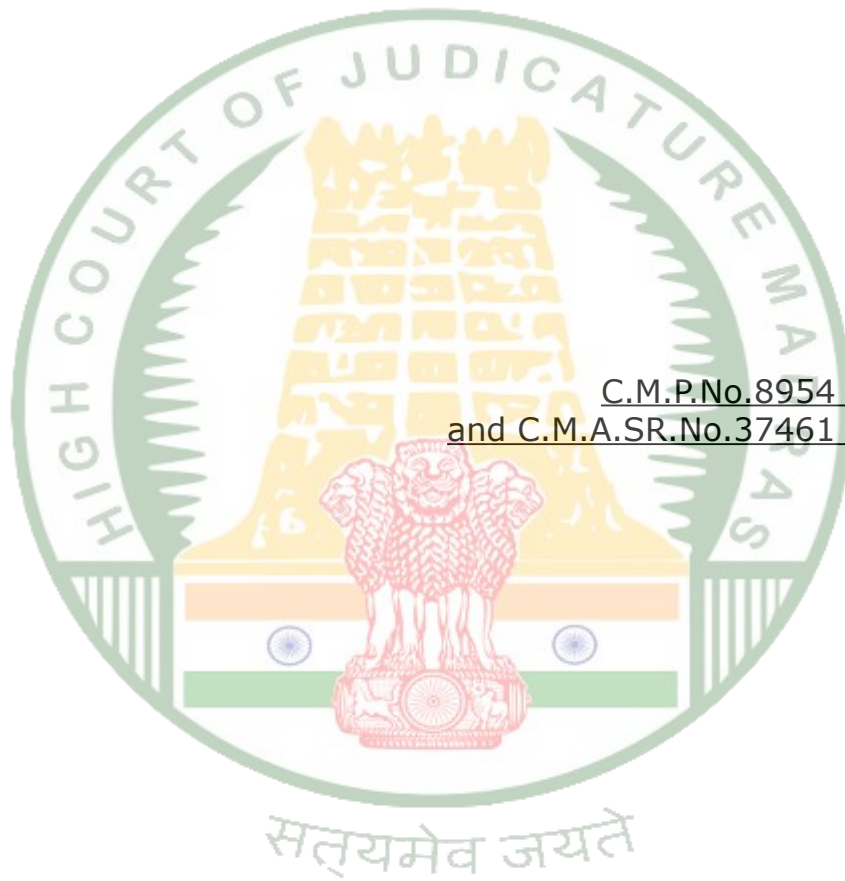
2.National Insurance Company Limited,
No.157, Anna Salai,
Chennai - 2.



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V.M.VELUMANI,J.

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and C.M.A.SR.No.37461 of 2016

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