

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM:

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

C.M.P.No.9231 of 2016  
in  
C.M.A.SR.No.37502 of 2016

R.Senthilkumar (minor) .. Petitioner  
represented by his father  
and natural guardian K.Raja

Vs.

1.S.Raman  
2.National Insurance Company Ltd.,  
751, Mount Road (Anna Salai),  
chennai-2. .. Respondents

**PRAYER:** C.M.P.No.9231 of 2016 is filed under Section 173(1) of the Motor Vehicles Act, 1988, to condone the delay of 2712 days in preferring the above appeal.

C.M.A.SR.No.37502 of 2016 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 29.09.2008 made in M.C.O.P.No.1856 of 2005 on the file of the Motor Accidents Claims Tribunal, II Judge, Small Causes Court,

Chennai.

For Petitioner : Mr.S.Ravikumar

**ORDER**

C.M.P.No.9231 of 2016 is filed to condone the delay of 2712 days in preferring the above appeal.

C.M.A.SR.No.37502 of 2016 is filed against the judgment and decree dated 29.09.2008 made in M.C.O.P.No.1856 of 2005 on the file of the Motor Accidents Claims Tribunal, II Judge, Small Causes Court, Chennai.

2.According to the petitioner, the award was passed on 29.09.2008, copy application was filed on 08.10.2014 and copy of the award was received on 03.12.2014. Further, the petitioner could not mobilise funds to pay Court fee and hence the delay of 2712 days has occurred in filing the appeal. The petitioner has not given any valid reason for not applying the copy application immediately. Further, the petitioner has not explained as to how and when he arranged funds to file appeal in time. The reason given by the petitioner for condoning the delay of 2712 days in filing appeal is

not valid. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.9231 of 2016 stands dismissed and consequently, C.M.A.SR.No.37502 of 2016 is rejected. No costs.

05.02.2019

rst/kj

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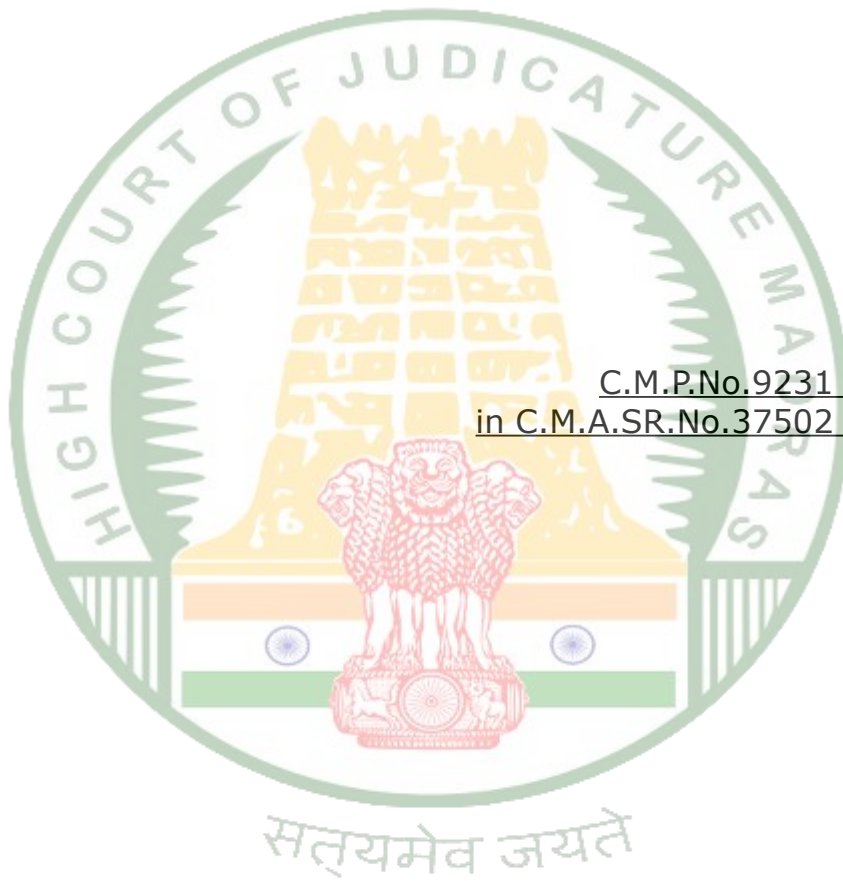
The Motor Accidents Claims Tribunal,  
II Judge, Small Causes Court, Chennai.



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**V.M.VELUMANI, J.**

rst/kj



C.M.P.No.9231 of 2016  
in C.M.A.SR.No.37502 of 2016

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