

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.19906 of 2017
and
C.M.A.SR.No.85787 of 2017

1.Vijayalakshmi
2.Velvijayan
3.Minor Priyanka .. Petitioners

(Minor 3rd petitioner rep. by her next
friend and natural guardian mother 1st petitioner)

Vs.

1.M.John Joseph
2.N.Senthil Kumar
3.HDFC General Insurance Co. Ltd.,
Registered Office at Ramon House,
H, Parekh Marg, 169, Backbay Reclamation,
Mumbai.
4.V.Ramraj
5.National Insurance Co. Ltd.,
Hero Honda Vertical 1101 106,
BMC House NI, Connaught Place,
New Delhi-110001. .. Respondents

PRAYER: C.M.P.No.19906 of 2017 is filed under Section 173(1) of the Motor Vehicles Act, to condone the delay of 881 days in filing the above appeal.

C.M.A.SR.No.85787 of 2017 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 18.07.2014 made in M.C.O.P.No.125 of 2013 on the file of the Motor Accident Claims Tribunal, Sub Court, Perundurai.

For Petitioners : Mr.R.Nalliyappan

For Respondents : No Appearance

ORDER

C.M.P.No.19906 of 2017 is filed to condone the delay of 881 days in filing the above appeal.

C.M.A.SR.No.85787 of 2017 is filed against the judgment and decree dated 18.07.2014 made in M.C.O.P.No.125 of 2013 on the file of the Motor Accident Claims Tribunal, Sub Court, Perundurai.

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

3.According to the petitioners, he was not having sufficient funds to file the appeal immediately. After collecting loan from the relatives he has taken steps to file the appeal by engaging the

advocate at Chennai and hence the delay of 881 days in filing the appeal has occurred. The reason given by the petitioner is not valid and sufficient to condone the delay of 881 days. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.19906 of 2017 stands dismissed and consequently, C.M.A.SR.No.85787 of 2017 is rejected. No costs.

28.01.2019

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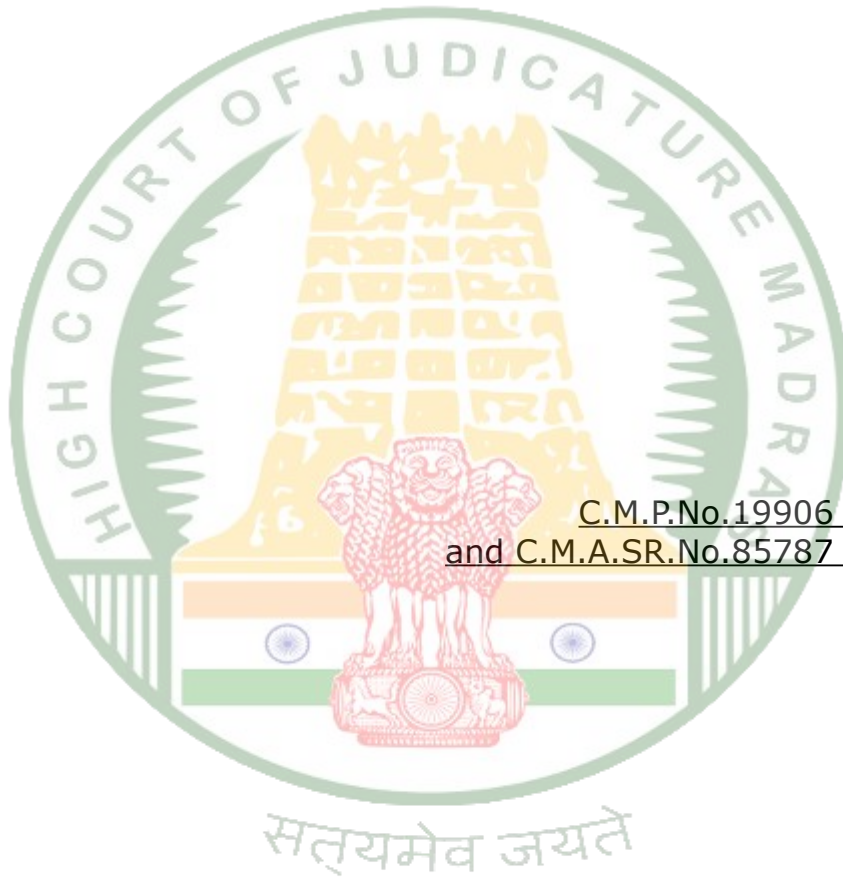
Motor Accidents Claims Tribunal,
Subordinate Judge, Perundurai.



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V.M.VELUMANI, J.

rst/kj



C.M.P.No.19906 of 2017
and C.M.A.SR.No.85787 of 2017

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