

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.23569 of 2018
and
C.M.A.SR.No.124088 of 2018

Palani

.. Petitioner

Vs.

1.D.Malaravannan
2.United India Insurance Company Ltd.,
Katpadi Road,
Vellore
Vellore District.

.. Respondents

PRAYER: C.M.P.No.23569 of 2018 is filed under Section 173 (1) of the Motor Vehicles Act, 1988, to condone the delay of 1922 days in filing the above appeal.

C.M.A.SR.No.124088 of 2018 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 28.03.2013 made in M.C.O.P.No.368 of 2011 on the file of the Motor Accident Claims Tribunal, Sub Court, Vaniyambadi, Vellore District.

For Petitioner : Mr.P.Bharath Kumar

ORDER

C.M.P.No.23569 of 2018 is filed to condone the delay of 1922 days in filing the above appeal.

C.M.A.SR.No.124088 of 2018 is filed against the judgment and decree dated 28.03.2013 made in M.C.O.P.No.368 of 2011 on the file of the Motor Accident Claims Tribunal, Sub Court, Vaniyambadi, Vellore District.

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

3.According to the petitioner, he has handed over the appeal papers to the counsel to file appeal. The counsel at Chennai instructed him to get the deposition of witness and medical records from the lower court counsel during August 2018. While the lower Court counsel was renovating his office, the case papers got mixed up and the same traced out only during the month of October 2018 and hence the delay of 1922 days has occurred in filing the appeal. The reason given by the petitioner is not valid and sufficient for

condoning the delay of 1922 days. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.23569 of 2018 stands dismissed and consequently, C.M.A.SR.No.124088 of 2018 is rejected. No costs.

04.02.2019

rst

To

Motor Accidents Claims Tribunal,
Subordinate Judge, Vaniyambadi, Vellore District.



WEB COPY

V.M.VELUMANI, J.
rst/gbi



C.M.P.No.23569 of 2018
and C.M.A.SR.No.124088 of 2018

WEB COPY

04.02.2019