



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Eleventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP(MD) No.1349 of 2019

IN

CMA(MD) No.SR28229 of 2016

BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LTD,
NO.142/7, 1ST FLOOR, SRI BAJAJ ARCADE,
THIRUVANANTHAPURAM ROAD,
MURUGANKURICHI, PALAYAMKOTTAI,
TIRUNELVELI-627 002.

... PETITIONER/APPELLANT

Vs

1.P.SARASWATHI
2.MINOR P.MUTHUKALA
3.SAKKARAIAMMAL
(2ND MINOR RESPONDENT IS
REPRESENTED BY HER MOTHER NEXT FRIEND,
1ST RESPONDENT)

4.C.ILANGO

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 884 days in payment of deficit court fee of Rs.11,221/- in CMA(MD)SR.No.28229 of 2016 and pass such other order or further orders as may be in the facts and circumstances of the case and thus render justice.

PRAYER IN CMA(MD) No.SR28229 of 2016:

To set aside the Judgment and Decree of the Claims Tribunal in M.C.O.P.No.137 of 2014, dated 19.01.2016 on the file of the Motor Accident Claims Tribunal, II Additional District Court, Thoothukudi.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.S.MURALI, Advocate for the petitioner,the court made the following order:-

This petition is filed to condone the delay of 884 days in paying the deficit Court fee of Rs.11,221/- and for ordering to take the appeal on file.



2. Heard the learned Counsel for the petitioner.

3. In view of the reasons stated in the affidavit, this Court is inclined to allow this petition. Accordingly, the delay is condoned and petition is allowed on condition that the petitioner shall pay a sum of Rs.500/- to the credit of the Honourable Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, on or before 13.02.2019, failing which, this petition shall automatically be dismissed without further reference to Court.

4. Registry is directed to number the appeal, if the papers are otherwise in order, after showing proof for payment and list the appeal on 13.02.2019 "for admission".

sd/-
11/02/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE IIND ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THOOTHUKUDI.

COPY TO:

1. THE SECTION OFFICER,
ACCOUNTS SECTION (CHIEF JUSTICE RELIEF FUND)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2. THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.1349 of 2019
IN
CMA (MD) No.SR28229 of 2016
Date : 11/02/2019

TK/PN/SAR-3/11.02.2019/2P/4C