



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

Wednesday, the Twenty Third day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.136 of 2019

IN

CMA(MD) No.SR15178 of 2018

NATIONAL INSURANCE COMPANY LIMITED,
REP.BY ITS BRANCH MANAGER,
HAVING OFFICE AT ANGUUVILAS BUILDINGS,
NORTH CAR ST, NAGERCOIL,
KANYAKUMARI DISTRICT.

... APPELLANT / PETITIONER

Vs

1.SHAHIN,
2 JOHN JEBARAJ
3 DAVID
4 ESSA

... 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 241 days in paying the deficit court fee of Rs.5940/- in the above C.M.A.SR.No.15178 of 2018 and order to take the appeal into file and pass such further or other order as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER IN CMA(MD) No.SR15178 of 2018:-

To allow this appeal and set-aside the Judgment and Decree dated 05.09.2017 passed in M.C.O.P.No.103 of 2016 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Nagercoil.

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.A.S.MATHIALAGAN, Advocate for the petitioner, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 241 days in paying the deficit Court fee.



2.Considering the reasons stated in the affidavit filed in support of the petition and also considering the length of delay, this Court is inclined to condone the delay subject to the payment of cost of Rs.1,000/- (Rupees one thousand only) to the Legal Services Committee, attached to this Bench, on or before 25.01.2019, failing which this petition shall stand dismissed automatically without any further reference to this Court.

3.This petition is accordingly ordered.

4. In the event of payment of cost, the Registry is directed to number the appeal if it is otherwise in order and list the same "for admission" on 29.01.2019.

sd/-
23/01/2019

/ TRUE COPY /

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

TO

THE CHIEF JUDICIALMAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAGERCOIL.

COPY TO:

1. THE SUBASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
2. THE OFFICER INCHARGE,
LEGAL AID SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.136 of 2019
IN
CMA(MD) No.SR15178 of 2018
Date :23/01/2019

AE/JC/SAR1/28.01.2019/2P/4C