



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2019

CORAM :

THE HONOURABLE MRS.JUSTICE **S.RAMATHILAGAM**

C.M.P.(MD) No.2027 of 2019

in

CMA(MD) No.SR39634 of 2016

and

C.M.A.(MD) No.SR39634 of 2016

in C.M.P.(MD) No.2027 of 2019

The Managing Director,  
Tamilnadu State Transport Corporation,  
Kumbakonam Division,  
Karaikudi  
Sivagangai District.

... Petitioner/Appellant

vs.

1.Rathinaraj

2.Manickam

3.The Manager,  
Royal Sundaram Alliance Insurance Company,  
Sundaram Towers,  
46, Whits Road,  
Rayapettai,  
Chennai - 600 014.

... Respondents/Respondent

PRAYER:- Civil Miscellaneous Petition filed under Section 173 (1) of Motor Vehicle Act, 1988, to condone the delay of 2203 days in filing the above civil miscellaneous appeal against the judgment and decree dated 22.03.2010 in M.C.O.P.No.166 of 2008 on the file of the Motor Accident Claims Tribunal cum Additional Subordinate Court, Tenkasi.

For Petitioner : Mr.M.Prakash

in C.M.A.(MD) No.SR39634 of 2016

The Managing Director,  
Tamilnadu State Transport Corporation,  
Kumbakonam Division,  
Karaikudi,  
Sivagangai District.

... Appellant

vs.



1.Rathinaraj

2.Manickam

3.The Manager,

Royal Sundaram Alliance Insurance Company,  
Sundaram Towers,  
46, Whits Road,  
Rayapettai,  
Chennai - 600 014.

... Respondents

PRAYER:- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the judgment and decree dated 22.03.2010 passed in M.C.O.P.No.166 of 2008 by the Motor Accident Claims Tribunal cum Additional Subordinate Court, Tenkasi.

For Petitioner : Mr.M.Prakash

**ORDER**

The Civil Miscellaneous Petition has been filed to condone the delay of 2203 days in preferring the above appeal.

2.C.M.A.(MD) No.SR39634 of 2016 has been filed by the petitioner herein by disputing the sum awarded in M.C.O.P.No.166 of 2008, by the Tribunal under various heads as excessive.

3.On perusal of the records, it is observed that the value of claim made by the claimants is Rs.30,00,000/- and the value of the award is Rs.5,71,500/-.

4.Since the said M.C.O.P., was filed in the year 2008, no specific reasons or genuine reasons were stated by the petitioner for condoning the said delay.

5.Accordingly, this Civil Miscellaneous Petition is dismissed. Consequently, C.M.A.(MD) No.SR39634 of 2016 is also rejected at the SR stage itself.

Sd/-

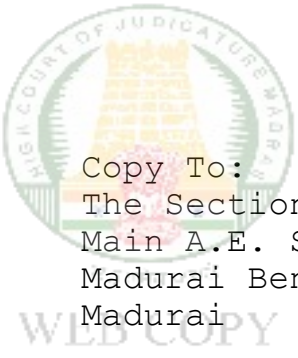
Assistant Registrar ()

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Sub Assistant Registrar(CS)

To

The Motor Accident Claims Tribunal cum  
<https://hcservices.ecourts.gov.in/hcservices/>  
Additional Subordinate Judge,  
Tenkasi.



Copy To:  
The Section Officer,  
Main A.E. Section,  
Madurai Bench of Madras High Court,  
Madurai

+1cc to Mr.M.Prakash, Advocate, SR.No.58509

C.M.P. (MD) No.2027 of 2019  
in  
CMA (MD) No.SR39634 of 2016  
and  
C.M.A. (MD) No.SR39634 of 2016  
03.04.2019

SP/24.04.2019/3P/4C

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