

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

Wednesday, the Twelfth day of June Two Thousand Nineteen

PRESENT

**The Hon`ble Mrs.Justice J.NISHA BANU**

CMP(MD) No.2109 of 2019  
IN  
CMA(MD) No.SR36688 of 2016

R.RAMKUMAR

... APPELLANT/ PETITIONER

Vs

GENERAL MANAGER  
M/S.TAMIL NADU STATE TRANSPORT CORPORATION,  
KUMBAKONAM (LTD), PILLAI THANNEERPANTHAL,  
THIRUMAYAM ROAD, PUDUKOTTAI. ... RESPONDENT/ RESPONDENT

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 286 days in filing the restoration petition in CMP(MD)No.10068 of 2016 in CMA.SR.No.36688 of 2016 which was dismissed for default on 03.04.2018.

**PRAYER IN CMA(MD) No.SR36688 of 2016:**

To prefer this memorandum of grounds of civil miscellaneous appeal to this Hon'ble Court against the judgment and decree dated 29.02.2015 in M.C.O.P.No.4208/2013, on the file of the Special Subordinate Judge, Thiruchirappalli(Motor Accident Claims Tribunal), Thiruchirappalli).

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.KHAN.K.S.M.S.IBRAHIM, Advocate for the petitioner and of Mr.D.SIVARAMAN, Advocate on behalf of the Respondent, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 286 days in filing a petition to restore C.M.P (MD)No.10068 of 2016 in C.M.A(MD)SR.No.36688 of 2016.

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, within a period of one week from the date of receipt of copy of this order, 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 restoration petition, if the papers are otherwise in order and post the same for hearing.

sd/-  
12/06/2019

/ TRUE COPY /

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

TO

THE SPECIAL SUBORDINATE JUDGE,  
MOTOR ACCIDENT CLAIMS TRIBUNAL,  
THIRUCHIRAPPALLI.

COPY TO:

1. THE OFFICER INCHARGE,  
LEGAL AID SERVICE AUTHORITY,  
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.2109 of 2019

IN

CMA (MD) No.SR36688 of 2016

Date :12/06/2019

**MS/VR/SAR-1/19.06.2019/2P.4C**