



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

Monday, the Seventeenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

C.M.P (MD) Nos.2236 & 2237 of 2019

IN

C.M.A. (MD) Nos.SR30662 & 30666 of 2017

C.M.P (MD) No.2236 of 2019 IN C.M.A. (MD) No.SR30662 of 2017:

THE BRANCH MANAGER,
M/S.CHOLAMANDALAM M.S.GENERAL INSURANCE CO LTD,
NOS 3&4, DINDIGUL HIGH ROAD, 1ST FLOOR,
KALAVASAL, MADURAI. ... PETITIONER/ APPELLANT

Vs

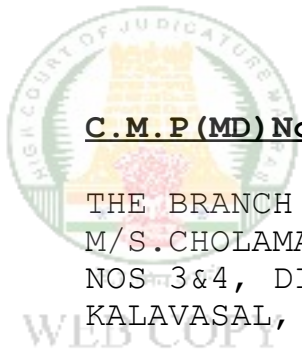
1 MAHAMMUDAH BEEVI
2 FATHIMA KANI
3 RAIHANA BEGAM
4 K.AMANULLAH
5 K.MOYAMMED MAIDEEN
6 K.ABDUL SAMAD
7 K.ABDUL WAHID ... RESPONDENTS/ PETITIONERS

8 JET ASSOCIATES,
KUNNA VAKKAM, VAKKAM VILLAGE,
KANCHIPURAM TALUK,
KANCHIPURAM DISTRICT.

9 THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE CO LTD,
TVS BUILDING, WEST VELI STREET,
MADURAI.

10 R.SELVAM ... 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 277 days in filing the above appeal against the fair and decretal order dated 16.12.2015 made in MCOP No.64 of 2015 on the file of Motor Accidents Claims Tribunal, (Special District Judge for MCOP Cases), Madurai and render justice.



C.M.P (MD) No.2237 of 2019 IN C.M.A. (MD) No.SR30666 of 2017:

THE BRANCH MANAGER,
M/S.CHOLAMANDALAM M.S.GENERAL INSURANCE CO LTD,
NOS.3&4, DINDIGUL HIGH ROAD, 1ST FLOOR,
KALAVASAL, MADURAI.

... PETITIONER/ APPELLANT

Vs

M.MUMTAJ (DIED)

1. L.SITHI NABEESHA BEGAM
2. ABDUL HASAN
3. M.SULAIMANSAIT
4. M.MOHAMMED RAFIQ

5. M.NAJECRA BEGUM ... RESPONDENTS/ RESPONDENTS
(IMPLEADED AS PER ORDER IN IA NO.801/2014
DATED 1.9.2014 AND AMEDNED AS PER ORDER
IN IA 889/2014 DATED 12.9.2014)

6. JET ASSOCIATES,
KUNNA VAKKAM, VAKKAM VILLAGE,
KANCHIPURAM TALUK,
KANCHIPURAM DISTRICT.

7. THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE CO LTD,
TVS BUILDING, WEST VELI STREETM,
MADURAI.

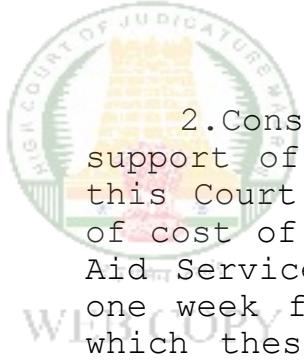
8. R.SELVAM ... RESPONDENTS/ RESPONDENTS

Prayer in CMP(MD). 2237/ 2019 :

Pleased to condone the delay of 277 days in filing the above appeal against the fair and decreetal order dated 16.12.2015 made in MCOP No.65 of 2015 on the file of Motor Accidents Claims Tribunal, (Special District Judge for MCOP Cases), Madurai and render justice.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.S.SRINIVASA RAGHAVAN, Advocate for the petitioner in both the petitions and of Mr.K.PRABHU, Advocate for R1 to R3 & R5 to R7, Mr.J.S.MURALI, Advocate for R9, and R8 not appeared either in person or by an advocate in C.M.P(MD)No.2236 of 2019 IN C.M.A. (MD)No.SR30662 of 2017 and Mr.K.PRABHU, Advocate for R1,R2,R4 & R5, and R6 & R7 not appeared either in person or by an advocate in C.M.P(MD)No.2237 of 2019 IN C.M.A. (MD)No.SR30666 of 2017, the court made the following order:-

These petitions have been filed by the petitioner seeking to condone the delay of 277 days in representing the above Civil Miscellaneous Appeals.



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) each to the Legal Aid Service Authority, attached to this Bench, within a period of one week from the date of receipt of copy of this order, failing which these petitions shall stand dismissed automatically without any further reference to this Court.

3.These petitions are accordingly ordered.

4. In the event of payment of cast, the Registry is directed to number the appeals, if it is otherwise in order and list the same "for admission" forthwith.

sd/-

17/06/2019

/ TRUE COPY /

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

TO
THE SPECIAL DISTRICT JUDGE FOR MCOP CASES
THE MOTOR ACCIDENTS CLAIMS TRIBUNAL,
MADURAI.

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.

+2. C.C. to M/S.S.SRINIVASA RAGHAVAN Advocate SR.Nos.9943 & 9944

ORDER IN

C.M.P(MD)Nos.2236 & 2237 of 2019

IN

C.M.A.(MD)Nos.SR30662 & 30666 of 2017

Date :17/06/2019

MS/VR/SAR-1/24.06.2019/3P.6C