

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

Tuesday, the Second day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP(MD) Nos.2457 & 2458 of 2019

IN

CMA(MD) Nos.SR14155 & SR14156 of 2018

THE DIVISIONAL MANAGER,
THE NATIONAL INSURANCE COMPANY LTD,
1ST FLOOR, 135/1, ROSE BUILDING,
MAIN ROAD, KOVILPATTI.

... PETITIONER/APELLANT
IN BOTH THE PETITIONS

- Vs. -

1 P.RAMESWARI
2 MINOR MAREESWARAN

3 NATIONAL ENGINEERING COLLEGE,
K.R.NAGAR, KOVILPATTI,
THOOTHUKUDI DISTRICT.

4 THE SECRETARY,
SIVAKASI NAIDU MAHAMAI MATRICULATION SCHOOL,
SATTUR ROAD, SIVAKASI.

... RESPONDENTS/RESPONDENTS
IN BOTH THE PETITIONS

Prayer in CMP(MD). 2457/ 2019 in CMA.SR.No.14155 of 2018:

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 155 days in representing the above CMA.SR.No.14155 of 2018 and thus render justice.

PRAYER IN CMA.SR.No.14155 of 2018:

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Sub Court, Sivakasi, in MCOP No.105 of 2006 dated 27.04.2010.

Prayer in CMP(MD). 2458/ 2019 in CMA.SR.No.14156 of 2018:

To condone the delay of 155 days in representing the above CMA.SR.No.14156 of 2018 and thus render justice.

PRAYER IN CMA.SR.No.14156 of 2018:

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Sub Court, Sivakasi, in MCOP No.106 of 2006 dated 27.04.2010.

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.D.SIVARAMAN, Advocate for the petitioner in both the petitions and of MR.M.ASHOK KUMAR, Advocate for R1 in both the petitions, the court made the following order:-

These petitions have been filed to condone the delay of 155 days in representing the above said appeals.

2.Heard the learned counsel on either side.

3.Being satisfied with the reasons stated in the affidavit filed in support of these petitions and considering the grievance of the claimants, these petitions are allowed.

4.The Registry is directed to number the appeals if the papers are otherwise in order.

5.Further, the claimants are also permitted to withdraw 75% of the deposited amount, which was deposited by the petitioner/Insurance Company, on their proportionate shares with accrued interest and costs without filing any formal petition before the Tribunal.

sd/-
02/04/2019

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
SUB COURT, SIVAKASI.

COPY TO:

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

ORDER
IN
CMP (MD) Nos.2457 & 2458 of 2019
IN
CMA (MD) Nos.SR14155 &
SR14156 of 2018
Date :02/04/2019