



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

Wednesday, the Third day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP(MD) No.3083 of 2019
IN
CMA(MD) No.SR53254 of 2017

THE MANAGER,
THE RELIANCE GENERAL INSURANCE CO.LTD.,
P.S.A.KANAGU TOWERS, 2ND FLOOR, 15A,
11TH CROSS ST., THILLAI NAGAR, TIRUCHI.

... PETITIONER/APPELLANT

Vs

1 MOHANRAJ,
2 MAHADEVAN,

... 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 410 days in representing the CMA(MD) SR.No.53254 of 2017 before this Honourable Court as against the award passed in MCOP No.717 of 2015 on the file of the MACT, Special Sub Judge, Thanjavur, and thus render justice.

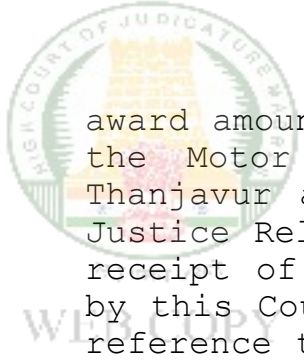
PRAYER IN CMA(MD) No.SR53254 of 2017

set aside the judgment and Decree dated 27.02.2017 passed in M.C.O.P.No.717 of 2015 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Thanjavur, and allow the present Civil Miscellaneous Appeal, and thus render justice.

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.K.GOKUL, Advocate for the petitioner, the court made the following order:-

This Civil Miscellaneous Petition has been filed to condone the delay of 410 days in re-presenting the said appeal against the award passed in M.C.O.P.No.717 of 2015 on the file of Motor Accident Claims Tribunal, Special Subordinate Judge, Thanjavur, dated 27.02.2017.

2. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed on condition that the appellant/Insurance Company deposits the entire



award amount to the credit of M.C.O.P.No.717 of 2015 on the file of the Motor Accident Claims Tribunal, Special Subordinate Judge, Thanjavur and deposits a sum of Rs.1,000/- to the credit of Chief Justice Relief Fund within a period of three weeks from the date of receipt of a copy of this order, failing which, the delay condoned by this Court shall stand vacated automatically without any further reference to this Court. On such deposit being made, the claimants are permitted to withdraw 75% of the deposited amount on their proportionate shares with accrued interest and costs without filing any formal petition before the Tribunal.

3.The Registry is directed to number the appeal if the papers are otherwise in order and after showing the proof of cost.

sd/-
03/04/2019

/ TRUE COPY /

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

TO

1 THE SPECIAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR.

COPY TO

1 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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

+1. C.C. to Mr.K.GOKUL Advocate SR.No.6127

PS/JC/SAR-3/10.04.2019/2P/5C

ORDER
IN
CMP (MD) No.3083 of 2019
IN
CMA (MD) No.SR53254 of 2017
Date :03/04/2019