



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

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) Nos.343 and 344 of 2019

IN

CMA(MD) Nos.SR30662 and 30666 of 2017

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

... PETITIONER/APPELLANT
IN BOTH PETITIONS

Vs

1 M.MUMTAJ (DIED),
L.SITHI NABEESHA BEGAM

2 ABDUL HASAN,
3 M.SULAMANSAIT,
4 M.MOHAMMED RAFIQ,
5 M.NAJECRA BEGUM,
6 JET ASSOCIATES,
KUNNA VAKKAM, KANCHIPURAM TK,
KANCHIPURAM DT.

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

8 R.SELVAM,
(impleaded as per order in IA NO.801/2014
dated 01.09.2014 and amended as
per order in IA 889/2014 dated 12.09.2014)

... RESPONDENTS/RESPONDENTS
IN CMP(MD)NO.343 /2019

1 MAHAMMUDAH BEEVI,
2 FATHIMA BEEVI,
3 RAIHANA BEGAM,
5 K.MOYAMMED MAIDEEN,
6 K.ABDUL SAMAD,
7 K.ABDUL WAHID,



8 JET ASSOCIATES,
KUNNA VAKKAM, KANCHIPURAM TK,
KANCHIPURAM DT.

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

10 R.SELVAM,

... RESPONDENTS/RESPONDENTS
IN CMP (MD) NO.344 /2019

Prayer in CMP(MD). 343/ 2019 :

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 116 days in representing the appeal papers in CMA SR.No.30662 of 2017 on the file of this Honourable Court and thus render justice.

PRAYER IN CMA(MD) No.SR30662 of 2017

Set aside the fair and decreetal order dated 16.12.2015 made in MCOP.NO.64 of 2015 on the file of Motor Accident claims Tribunal, (Special District Judge for MCOP Cases), Madurai allow this appeal and pass such further or other orders.

Prayer in CMP(MD). 344/ 2019 :

Pleased to condone the delay of 116 days in representing the appeal papers in CMA SR.No.30666 of 2017 on the file of this Honourable Court and thus render justice.

PRAYER IN CMA(MD) No.SR30666 of 2017

Set aside the fair and decreetal order dated 16.12.2015 made in MCOP.NO.65 of 2015 on the file of Motor Accident claims Tribunal, (Special District Judge for MCOP Cases), Madurai allow this appeal and pass such further or other orders.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mrs.K.R.SHIVA SHANKARI, Advocate for the petitioner in both petitions, the court made the following order:-

These petitions have been filed to condone the delay of 116 days in re-presenting the above civil miscellaneous appeals in C.M.A. (MD).Nos.SR.30662 and 30666 of 2017.

2. Considering the reasons stated in the affidavit filed in support of the petitions and also considering the length of delay, this Court is inclined to condone the delay, subject to the payment of cost of Rs.500/- (Rupees Five Hundred only) to the "Bubbles Day Care Creache maintained by the Women Advocates Association, Madras High Court, Madurai Bench", within a period of one week from the date of receipt of a 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.

sd/-
29/01/2019

WEB COPY

/ TRUE COPY /

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

TO

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

COPY TO

THE OFFICER INCHARGE,
BUBBLES DAY CARE CREACHE MAINTAINED BY
THE WOMEN ADVOCATES ASSOCIATION,
MADRAS HIGH COURT, MADURAI BENCH.

PS/JC/SAR-4/21.02.2019/2P/3C

ORDER
IN
CMP (MD) Nos.343 and 344 of 2019
IN
CMA (MD) Nos.SR30662 and 30666 of 2017
Date :29/01/2019