



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

Thursday, the Twenty Fifth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP(MD) No.3612 of 2019

IN

CMA(MD) No.SR13795 of 2019

THE MANAGING DIRECTOR,
TAMIL NADU TRANSPORT CORPORATION,
RANITHOTTAM, NAGERCOIL.

... PETITIONER/APELLANT

Vs

1 FRANCIS
2 SUMI KETZIAL
3 JONES SAMUEL
4 THILAK THAMBI SINGH
5 DEVARAJ
(THE 5TH RESPONDENT IS THE DRIVER OF
THE APPELLANT AND THAT GIVEN UP)

6.GNANA SUDHA

7.THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANT LTD.,
XAVIER BUILDING II FLOOR, PWD ROAD,
P.B.NO.50, NAGERCOIL.

... 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 2438 days in filing the Civil Miscellaneous Appeal against the Award and Decree made in MCOP No.10 of 2009 dated 27.03.2012 on the file of the MACT/Sub Court, Kuzhithurai and thus render justice.

PRAYER IN CMA(MD) No.SR13795 of 2019:-

To allow this appeal, setaside the award and decree made in MCOP.No.10 of 2009 dated 27.03.2012 on the file of the Motor Accident Claims Tribunal/Sub Court, Kuzhithurai.

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.P.PRABHAKARAN, Advocate for the petitioner and of MR.J.MURALI, Advocate for R7, the court made the following



order:-

This Civil Miscellaneous Petition has been filed to condone the delay of 2438 days in filing the above said appeal.

2. Heard the learned counsel for the petitioner.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed with cost of Rs.3,000/-.

4. The petitioner is directed to pay a sum of Rs.3,000/- to the credit of Legal Aid Services Authority attached to this Bench, 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. The Registry is directed to number the appeal and post the same in the normal course under the caption "for admission", if the papers are otherwise in order and after showing the proof of cost.

sd/-
25/04/2019

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE
MOTOR ACCIDENT CLAMIS TRIBUNAL,
KUZHITHURAI.

COPY TO:

1. THE OFFICER INCHARGE,
LEGAL AID SERVICES 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.3612 of 2019
IN
CMA (MD) No.SR13795 of 2019
Date : 25/04/2019

TK/MMS/SAR-III/16.05.2019/2P/4C