



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2019

CORAM:

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

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C.M.P. (MD) No.3790 of 2019

and

C.M.A. (MD) No.SR20859 of 2017

The Managing Director,  
The Tamil Nadu State Transport  
Corporation Limited,  
New Railway Station Road,  
Kumbakonam Division.

... Petitioner/Appellant

Vs.

Ganesan

... Respondent/Respondent

**PRAYER in C.M.P. (MD) No.3790 of 2019:** Civil Miscellaneous Petition is filed under Section 5 of Limitation Act, to condone the delay of 644 days in representing the Civil Miscellaneous Appeal in C.M.A. (MD)No.SR20859 of 2017.

**PRAYER in C.M.A. (MD) No.SR20859 of 2017:** Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicle Act, against judgment and award made in M.C.O.P.No.79 of 2016, dated 10.01.2017 on the file of Motor Accidents Claims Tribunal, Special District Court, Thajavur.

For Petitioner : Mr.D.Sivaraman

### **O R D E R**

This Civil Miscellaneous Petition has been preferred to condone the delay of 644 days in representing the Civil Miscellaneous Appeal in C.M.A. (MD)No.SR20859 of 2017.

2.The petitioner contended that the delay of 644 days in representing the Civil Miscellaneous Appeal caused in getting sanction from the Finance Committee for making the pre-condition deposit due to the financial constraints suffered by the Appellant Transport Corporation, there was a delay in making the initial deposit and obtaining necessary documents such as deposit receipt; the papers could not be re-presented in time and hence, there was a delay of 644 days in representing the above Civil Miscellaneous Appeal and hence, he prayed that the delay may be condoned.

<https://hcservices.ecourts.gov.in/hcservices/>

3.On perusal of the records and also considering the purpose of filing the claim application, the award passed therein and the



appeal is filed only against quantum, this Court is of the considered view that the compensation appears to be reasonable, warranting no interference of this Court. Since, the reason stated in the petition is also not satisfactory, there is no merit in this case, this Court is inclined to dismiss the petition.

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4. Accordingly, this Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected C.M.A.(MD)No.SR20859 of 2017 is rejected at the SR stage itself.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Motor Accidents Claims Tribunal,  
Special District Court,  
Thanjavur.

2.The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai. (2 copies)

+1cc to Mr. D.SIVARAMAN, Advocate, SR.No.60170

C.M.P. (MD)No.3790 of 2019

and

C.M.A. (MD)No.SR20859 of 2017

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