



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

Monday, the Tenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.4061 of 2019

IN

CMA(MD) No.SR16082 of 2019

TAMIL NADU STATE TRANSPORT
CORPORATION DIVISION II,
REP.BY ITS MANAGING DIRECTOR,
TIRUNELVELI,
TIRUNELVELI DISTRICT.

... PETITIONER/ APPELLANT

Vs

1 JERMI

2 V.AZHAGARSAMI

... RESPONDENTS/ RESPONDENTS

(THE 2nd RESPONDENT IS THE DRIVER OF THE APPELLANT AND THAT NOTICE
MAY GIVEN UP.)

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 2236 days in filing the CMA against the award and decree made in MCOP NO.214 of 2009 dated 13.08.2012 on the file of the Motor Accident Claims Tribunal /I Additional Sub Court, Nagercoil and thus render justice.

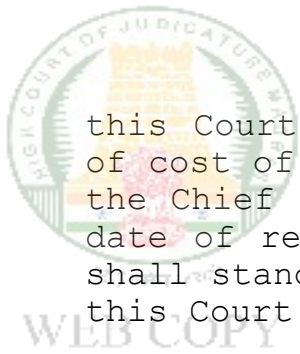
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.PRABHAKARAN, Advocate for the petitioner, and R1 not appeared either in person or by an advocate, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 2236 days in filing the above Civil Miscellaneous Appeal.

2.Despite notice being served on the first respondent and her name is being printed in the cause list, there is no representation on behalf of the respondent either in person or through counsel.

3.Considering the reasons stated in the affidavit filed in support of the petition and also considering the length of delay,



this Court is inclined to condone the delay subject to the payment of cost of Rs.2,500/- (Rupees two thousand and five hundred only) to the Chief Justice Relief Fund, within a period of one week from the date of receipt of copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court.

4.This petition is accordingly ordered.

5. In the event of payment of cost, the Registry is directed to number the appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-
10/06/2019

/ TRUE COPY /

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

TO
THE I ADDITIONAL SUBORDINATE JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAGERCOIL.

COPY TO:

1. THE SECTION OFFICER, (the Chief Justice Relief Fund)
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.P.PRABHAKARAN Advocate SR.No.9329

ORDER
IN
CMP (MD) No.4061 of 2019
IN
CMA (MD) No.SR16082 of 2019
Date :10/06/2019

MS/MMS/SAR-3/12.06.2019/2P.5C