



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

Monday, the Third day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.4207 of 2019

IN

CMA(MD) No.SR34266 of 2018

B.GOMATHI (DIED)

1 KADALKANNI @ KARPAGAM

2 B.THIYAGARAJAN

3 B.SAMINATHAN

4 B.ANJALI

C.KUNJAMMAL (DIED)

... PETITIONERS/ APPELLANTS

Vs

1 S.RAJA

2 THE BRANCH MANAGER,
NEW INDIA ASSURANCE COMPANY LTD.,
NO.83, T.S.R. BIG STREET,
KUMBAKONAM, THANJAVUR DISTRICT.

3 THE DIVISIONAL MANAGER,
THE ORIENTAL INSURANCE COMPANY LTD.,
1ST FLOOR, GOPALRAO LIBRARY BUILDING,
TOWN HALL ROAD, KUMBAKONAM,
THANJAVUR DISTRICT.

... 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 165 days in paying the deficit court fee of Rs.2,273/- in CMA(MD)SR.No.34266 of 2018 on the file of this Honourable.

PRAYER IN CMA(MD) No.SR34266 of 2018:

To modify the Judgment and Decree dated 19.03.2018 made in MCOP.No.187 of 2016 on the file of the Motor Accident Claims Tribunal, Additional District Court, Kumbakonam.

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.S.SIVA THILAKAR, Advocate for the petitioner, the court made the following order:-



Heard.

This petition has been filed by the petitioner seeking to condone the delay of 165 days in paying the deficit Court fee.

2. 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.500/- (Rupees Five Hundred only) to the Legal Services Committee, attached to this Bench, 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.

3. This petition is accordingly ordered.

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

sd/-
03/06/2019

/ TRUE COPY /

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

TO

THE ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
KUMBAKONAM.

COPY TO:

1 THE AUTHORISED OFFICER,
LEGAL SERVICES COMMITTEE,
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.4207 of 2019
IN
CMA(MD) No.SR34266 of 2018
Date :03/06/2019