



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

Friday, the Seventh day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.4851 of 2019
IN
CMA(MD) No.SR38250 of 2018

JOHNSON JAMES

... PETITIONER/ APPELLANT

Vs

1 N.VIJAYA SHANKAR

2 THE BRANCH MANAGER

M/S.UNITED INDIA INSURANCE CO.LTD.,
B.O.II, NO.23-E, E.V.R ROAD, PUTHUR,
TRICHY

(POLICY NO.090604/31/14/01/00005307 ...RESPONDENTS/ RESPONDENTS
(1st RESPONDENT WAS CALLED ABSENT AND
SET EX-PARTE BEFORE TRIBUNAL. HENCE, THE
1st RESPONDENT MAY BE DISPENSED WITH)

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 190 days in paying the deficit Court fee of Rs.9,380/- in CMA.SR.No.(MD) No.38250 of 2019 and thus render justice.

PRAYER IN CMA(MD) No.SR38250 of 2018:

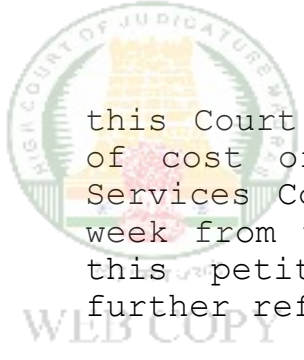
To allow the appeal and modify the award passed in M.C.O.P. No.155 of 2015 on the file of the Special District Court, (Motor Accident Claims Tribunal), Trichy dated 13.04.2018.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.N.SUDHAGAR NAGARAJ, Advocate for the petitioner, the court made the following order:-

Heard.

2.This petition has been filed by the petitioner seeking to condone the delay of 190 days in paying the deficit Court fee of Rs.9,380/- in the above Civil Miscellaneous Appeal.

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.500/- (Rupees five hundred only) to the Legal Aid 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.

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 in order and list the same "for admission" forthwith.

sd/-

07/06/2019

/ TRUE COPY /

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

TO

THE SPECIAL DISTRICT JUDGE
(MOTOR ACCIDENT CLAIMS TRIBUNAL),
TRICHY.

COPY TO:

1. THE OFFICER INCHARGE,
LEGAL AID SERVICE 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.4851 of 2019

IN

CMA (MD) No.SR38250 of 2018

Date : 07/06/2019

MS/PN/SAR-4/19.06.2019/2P.4C