



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

Monday, the Twenty Fourth day of June Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.5373 of 2019

IN

CMA(MD) No.SR30522 of 2018

THE ORIENTAL INSURANCE CO.LTD.

THROUGH ITS BRANCH MANAGER,

DDJ COMPLEX,

OPP.TO VADASERY BUS STAND,

NAGERCOIL, KANYAKUMARI DISTRICT.

... PETITIONER/APELLANT

Vs

1 PREMA,

2 MINOR.C.B.ASHIKA,

3 MINOR.C.B.ISWARYA,

(Minor respondents 2 & 3 represented by their
mother/natural guardian/next friend the
1st respondent herein)

4 ACHIAMMAL,

5 GANGADHARAN,

6 PARTHASARATHI,

... 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 days 258 in paying the deficit court fee of Rs.4,115/- in the above C.M.A.(MD)SR.No.30522 of 2018 and thus render justice.

PRAYER IN CMA(MD) No.SR30522 of 2018:

To set aside the fair and decretal order of the Motor Accident Claims Tribunal cum Chief Judicial Magistrate, Nagercoil made in M.C.O.P.No.20/2015 dated 25.01.2018 and allow the appeal with costs and 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.C.JAWAHAR RAVINDRAN, Advocate for the petitioner, the court made the following order:-

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

Heard.



This petition has been filed by the petitioner seeking to condone the delay of 258 days in paying the deficit Court fee.

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.1000/- (Rupees one thousand 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.

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/-
24/06/2019

/ TRUE COPY /

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

TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAGERCOIL.

COPY TO:

1. THE OFFICER INCHARGE
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.5373 of 2019
IN
CMA (MD) No.SR30522 of 2018
Date :24/06/2019