



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

Monday, the Seventeenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.547 of 2019

IN

CMA(MD) No.SR53867 of 2018

1 KALIAMMAL
2 MINOR.MAHENDRAN
3 MINOR.ANUPRIYA
(2ND & 3RD APPELLANTS THROUTH
HER MOTHER KALIAMMAL)

4 VALLIAMMAL

... PETITIONERS/APPELLANTS

Vs

1.AAVUDAIYAMMAL

2.THE MANAGER,
ORIENTAL INSURANCE COMPANY LTD.,
DOOR NO.24E12A, SIVASHAKTHI SHOPPING COMPLEX,
S.N.URA ROAD,
TIRUNELVELI-627 001.

... RESPONDENTS/RESPONDENTS

(1ST RESPONDENT HEREIN SET EX-PARTY IN
THE TRIBUNAL ITSELF, HENCE THE 1ST RESPONDENT
NOTICE MAYBE DISPENSE 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 1323 days in filing the appeal.

PRAYER IN CMA(MD) No.SR53867 of 2018:

Pleased to modify the judgment and decree dated 30.01.2015 made
in M.C.O.P No.48/2012 on the file of Motor Accidents Claims
Tribunal, Sankarankovil.

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.K.P.SANKARAKUMARAKURUPARAN, Advocate for the
petitioners and of Mr.R.RAMASAMY, Advocate for R1 and Mr.K.BASKARAN,
Advocate for R2, the court made the following order:-

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

Heard



2.Mr.K.Baskaran, learned counsel takes notice for the second respondent.

3.This petition has been filed by the petitioners seeking to condone the delay of 1323 days in filing the above Civil Miscellaneous Appeal.

4.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, 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.

5. The petitioners are not entitled for interest, if there is any enhancement of compensation passed in this appeal.

6.This petition is accordingly ordered.

7.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/-
17/06/2019

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, SANKARANKOVIL.

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.K.P.SANKARAKUMARAKURUPARAN Advocate SR.No.10033

ORDER
IN
CMP(MD) No.547 of 2019
IN
CMA(MD) No.SR53867 of 2018
Date :17/06/2019