



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

Thursday, the First day of August Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.5002 of 2019

IN

CMA(MD) No.SR20810 of 2019

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION
(MADURAI) LTD,
BYPASS ROAD, MADURAI 625 010.

... PETITIONER/APPELLANT

Vs

1 MOHAMED ALI UMARI
2 JAMUNA BEGUM
3 I.ABDUL HAKKIM

4 THE ORIENTAL INSURANCE CO LTD,
REP BY ITS DIVISIONAL MANAGER,
OFFICE AT 39/40, SARATHA SHOPPING COMPLEX,
SIMMAKKAL, MADURAI 625 001.

... 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 130 days in filing the Civil Miscellaneous Appeal against the Award and Decree made in MCOP.No.388 of 2015 dated 28.09.2018 on the file of the MACT/ IV Additional District Court, Madurai and thus render justice.

PRAYER in CMA(MD) No.SR20810 of 2019:

To allow this appeal, set aside the award and decree made in M.C.O.P.No.388 of 2015 dated 28.09.2018 on the file of the Motor Accident Claims Tribunal / IV Additional District Court, Madurai.

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.P.PRABHAKARAN, Advocate for the petitioner, and of MR.K.M.ABDUL SUBAHAN, Advocate for R1 & R2 and MR.K.BASKAR, Advocate for R4, and R3 not appeared either in person or by an Advocate, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 130 days in filing the above Civil Miscellaneous Appeal.



2.The learned counsel appearing for the respondents have no serious objection in allowing this petition.

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 Services Committee, attached to this Bench, within a period of two weeks 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/-
01/08/2019

/ TRUE COPY /

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

TO

THE IV ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI

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.5002 of 2019
IN
CMA(MD) No.SR20810 of 2019
Date :01/08/2019
(2/2)

GCG
PK/PN/SAR-4/07.08.2019 : 2P/4C