



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

Tuesday, the Thirtieth day of July Two Thousand Nineteen

WEB COPY

PRESENT

**The Hon`ble Mrs.Justice J.NISHA BANU**

**CMP (MD) No.6098 of 2019**  
**in**  
**CMA (MD) No.SR24599 of 2019**

YACOBU

... PETITIONER/APPELLANT

Vs

STATE EXPRESS TRANSPORT CORPORATION LIMITED,  
THROUGH ITS MANAGING DIRECTOR OFFICE,  
THIRUVALLUVAR HOUUSE,  
PALLAVAN SALAI, CHENNAI.

... RESPONDENT/RESPONDENT

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 449 days in filing the above CMA(MD) SR.No.24599 of 2019.

**PRAYER in CMA(MD) No.SR24599 of 2019:**

To allow this appeal and enhance the award amount in M.C.O.P.No.87 of 2015 on the file of the Motor Accident Claims Tribunal, (Special Sub Court), Tirunelveli, dated 06.07.2017.

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.T.SELVAKUMARAN, Advocate for the petitioner and of MR.P.PRABHAKARAN, Advocate for the Respondents the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 449 days in filing the above Civil Miscellaneous Appeal.

2.Mr.P.Prabhakaran, learned counsel takes notice for the respondent. He has no objection for allowing this petition and would state that there is a connected matter in CMA(MD)No.552/2018 and prayed to tag that appeal with the present appeal.

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.1,000/- (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.

3. This petition is accordingly ordered.

4. 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 along with CMA(MD) No.552/2018.

30/07/2019

/ TRUE COPY /

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

TO

THE SPECIAL SUBORDINATE JUDGE,  
MOTOR ACCIDENT CLAIMS TRIBUNAL,  
TIRUNELVELI.

COPY TO : THE OFFICER INCHARGE, LEGAL AID SERVICE AUTHORITY,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : THE SUB ASSISTANT REGISTRAR, AE SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CMP(MD) No.6098 of 2019 in  
CMA(MD) No.SR24599 of 2019  
Date : 30/07/2019

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PK/JC/SAR-4/31.07.2019 : 2P/4C