



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

Friday, the Eighth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP(MD) No.11081 of 2018

IN

CMA(MD) No.SR42151 of 2016

THE MANAGER,
TATA AIG GENERAL INSURANCE CO.LTD.,
EGMORE, CHENNAI.

... PETITIONER/APPELLANT

Vs

1 DEIVASELVI
2 NEELAVARNAN
3 JEEVAREKHA
4 TAMIL ELAKKIYA
5 JANANI
6 MINOR.MAHALAKSHMI
7 MINOR.PRIYADHARSHINI
8 MINOR.MADESH SRINIVASAN
9 MINOR.ILAYANILA @ NIYASHIRI
10 MINOR.NISHNAN KUMAR

(MINOR RESPONDENTS 6 TO 10 ARE REP. BY THEIR
MOTHER & NATURAL GRARDIAN 1st RESPONDENT)

... RESPONDENTS/PETITIONERS

11 RAMESH

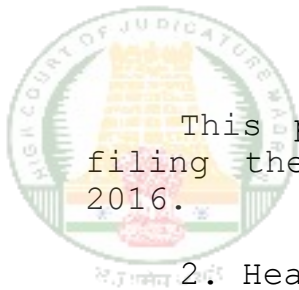
... RESPONDENT/RESPONDENT-1

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 96 days in filing the above appeal against the fair and decreetal order dated 29.03.2016 and made in MCOP No.299 of 2015 on the file of Motor Accident Claims (II Addl.District Judge), Thanjavur, and render justice.

PRAYER IN CMA(MD) No.SR42151 of 2016:

To set aside the fair and decreetal order dated 29.03.2016 made in MCOP NO.299 of 2015 on the file of Motor Accident Claims Tribunal, (II Additional District Judge), Thanjavur and allow this appeal 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 M/S.K.R.SHIVA SHANKARI, Advocate for the petitioner and of not appeared for R1 to R5 either in person or through by an Advocate, the court made the following order:-



This petition is filed to condone the delay of 96 days in filing the Civil Miscellaneous Appeal in CMA(MD) No.SR.42151 of 2016.

2. Heard the learned counsel appearing for the petitioner.

3. This Court is satisfied with the reasons stated in the affidavit filed in support of the petition to condone the delay of 79 days in filing the Civil Miscellaneous Appeal. Since the delay is inordinate, the delay is condoned on condition that the petitioner / appellant shall pay a sum of Rs.500/- (Rupees Five Hundred only) to the District Legal Services Authority within a period of one week from the date of receipt of a copy of this order.

4. Registry is directed to number the appeal and post the case after one week, if the papers are otherwise in order.

sd/-
08/02/2019

/ TRUE COPY /

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

TO

THE IIND ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR.

COPY TO:

- 1 THE AUTHORISED OFFICER,
DISTRICT LEGAL SERVICES AUTHORITY,
THANJAVUR DISTRICT.
- 2 THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.11081 of 2018
IN
CMA(MD) No.SR42151 of 2016
Date :08/02/2019

JM/PN/SAR 2/14.02.2019/2P/4C