



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

Monday, the Twenty Eighth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.12448 of 2018
IN
CMA(MD) No.SR53350 of 2018

THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION,
MADURAI DISTRICT. ... PETITIONER/APPELLANT

Vs

1 MINOR.SHARMILA BANU,
2 MINOR.PAZIL MOHAMED,
(R1 & 2 MINORS REPRESENTED THRO THEIR
GRAND MOTHER AS GUARDIAN THE 3rd RESPONDENT AMEENA BIVI)

3 M.AMEENA BIVI ... 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 211 days in filing the CMA against the award and decree made in MCOP No.2401 of 2015 dated 28.04.2017 on the file of the Motor Accident Claims Tribunal/VI Additional District Court, Madurai and thus render justice.

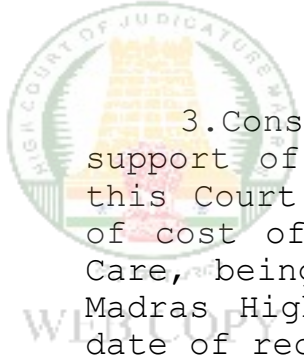
PRAYER IN CMA(MD) No.SR53350 of 2018

Allow this appeal, set aside the award and decree made in M.C.O.P.NO.2401 of 2015 dated 28.04.2017 on the file of the Motor accident claims Tribunal / VI Additional District Court Madurai and pass such other or further orders.

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.P.PRABHAKARAN, Advocate for the petitioner and of Mr.R.SUBRAMANIAN, Advocate for R1 to R3, the court made the following order:-

Heard.

2.This petition has been filed by the petitioner seeking to condone the delay of 211 days in filing the above Civil Miscellaneous Appeal.
<https://hcservices.ecourts.gov.in/hcservices/>



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 Bubbles Day Care, being run by the Women Lawyers Association, Madurai Bench of Madras High Court, Madurai, within a period of one week from the date of receipt of copy of this order.

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/-

28/01/2019

/ TRUE COPY /

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

TO

THE VI ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI.

COPY TO

- 1 THE OFFICER INCHARGE,
BUBBLES DAY CARE,
BEING RUN BY THE WOMEN LAWYERS ASSOCIATION,
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.12448 of 2018

IN

CMA(MD) No.SR53350 of 2018

Date : 28/01/2019

TK/PN/SAR-2/22.02.2019/2P/4C