



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

Friday, the Eighteenth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.11777 of 2018

IN

CMA(MD) No.SR48046 of 2018

THE BRANCH MANAGER,
NATIONAL INSURANCE CO.LTD.,
I FLOOR, EAST MAIN ROAD,
PUDUKOTTAI-622 001.

... PETITIONER/APPELLANT

Vs

1.P.SIRUMBAYEE,
2 P.MARIYAPPAN,
3 S.SANKAR,

... 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 204 days in preferring the above CMA against the order dated 22.11.2017, made by the MACT cum Subordinate Judge, Kulithalai in MCOP No.248 of 2013 and thus render justice.

PRAYER IN CMA(MD) No.SR48046 of 2018:-

To set aside the Judgment and decree passed by the Motor Accident Claims Tribunal cum Subordinate Judge, Kulithalai, made in M.C.O.P.No.248/2013 dated 22.11.2017 and allow this appeal.

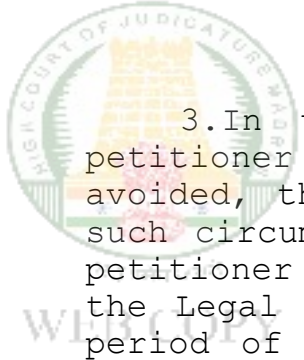
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.RAJAMANI, Advocate for the petitioner, the court made the following order:-

[Order of the Court made by **S.S.SUNDAR, J.**]

This petition is filed to condone the delay of 204 days in preferring the above appeal as against the order of the Motor Accidents Claims Tribunal-cum-Subordinate Court, Kulithalai, in M.C.O.P.No.248 of 2013, dated 22.11.2017.

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

2.Heard the learned Counsel appearing for the petitioner / Insurance Company.



3. In the affidavit filed in support of this petition, the petitioner has give reason. Though the delay could have been avoided, there is no reason to reject the reason for the delay. In such circumstances, this petition is allowed on condition that the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand) to the Legal Aid Service Authority, attached to this Bench, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed without further reference to Court. Registry is directed to number the above appeal, if the papers are otherwise in order.

sd/-
18/01/2019

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
KULITHALAI.

COPY TO:-

1. THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
2. THE OFFICER INCHARGE,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CMP(MD) No.11777 of 2018
IN
CMA(MD) No.SR48046 of 2018
Date :18/01/2019

AE/VR/SAR1/24.01.2019/2P/4C