



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Ninth day of August Two Thousand Nineteen

PRESENT

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The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) Nos.6212 and 6257 of 2019
and
CMA(MD)SR.Nos.25401 and 25405 of 2019

M/S.UNITED INDIA INSURANCE CO. LTD.,,
THROUGH ITS BRANCH MANAGER,
OFFICE AT NUMBER 457,
VICTORIA EXTENSION ROAD,
TUTICORIN.

... PETITIONER/APELLANT
IN BOTH PETITIONS

Vs

1.MINOR AUGUSTES
(MINOR 1ST RESPONDENT
IS REP. THROUGH HIS MATERNAL
UNCLE AND NEXT FRIEND AND
GUARDIAN DHANASINGH)

2.CHITHAMBARAM

... RESPONDENTS/ RESPONDENTS
IN BOTH PETITIONS

PRAYER IN CMP(MD) . 6212/ 2019 :

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 288 days in filing the Appeal against the award/Decree and Judgment dated 28.04.2018 passed in MCOP NO.1402/2015 on the file of the Hon'ble Motor accidents Tribunal (special Sub Judge, Tirunelveli), decide the Appeal on merits and further be pleased to pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of this case and thus render justice.

PRAYER IN CMP(MD) . 6257/ 2019 :

For the reasons stated in the accompanying affidavit it is therefore prayed that this Hon'ble Court may be pleased to pass an order to condone the delay of 288 days in filing the Appeal Against the award/Decree and Judgment dated 28.04.2018 passed in MCOP No.1403/2015 on the file of the Honble Motor accidents Tribunal (Special Sub Judge, Tiruneveli), Decide the Appeal on merits and further be pleased to pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of this case and thus render justice.



ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.C.KARTHIK, Advocate for the petitioner in both petitions, and of No Appearance either in person or by an Advocate for R2, the court made the following order:-

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These petitions have been filed by the petitioner seeking to condone the delay of 288 days in filing the above Civil Miscellaneous Appeals.

2.Considering the reasons stated in the affidavit filed in support of the petitions 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 thousand only) each to the Legal Aid Service Authority, attached to this Bench, within a period of one week from the date of receipt of copy of this order, failing which the petitions shall stand dismissed automatically without any further reference to this Court.

3.These petitions are accordingly ordered.

4. In the event of payment of cost, the Registry is directed to number the appeals, if it is otherwise in order and list the same "for admission" on 14.08.2019.

sd/-
09/08/2019

/ TRUE COPY /

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

TO
THE SPECIAL SUBORDINATE JUDGE,
MOTOR ACCIDENTS TRIBUNAL, TIRUNELVELI.

COPY TO:

- 1.THE AUTHORITY OFFICER, LEGAL AID SERVICE COMMITTEE,
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) Nos.6212 and 6257 of
2019 and CMA(MD)SR.Nos.25401
and 25405 of 2019
Date :09/08/2019

TK/PN/SAR.1/13.08.2019/2P/4C