

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

Wednesday, the Thirty First day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.6761 of 2019
in
CMA (MD) No.SR51664 of 2018

PALANIAPPAN
REPRESENTED THROUGH THEIR
GUARDIAN/WIFE KUMUTHAM APPELLANT/CLAIMANT

Vs

1 THEIVARAYAN

2 THE BRANCH MANAGER,
NEW INDIA ASSURANCE COMPANY,
480, SEKKALAI ROAD,
KARAIKUDI NAGAR,
SIVAGANGAI DISTRICT RESPONDENTS/RESPONDENTS

(Since the 1st Respondent set Ex-parte
before the Tribunal and hence, notice
may be dispensed with)

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 203 days in representing the CMA (MD)
SR.No.51664 of 2018 and thus render justice.

PRAYER in CMA (MD) No.SR51664 of 2018:

To call for the records relating to the Judgment and Award
dated 02.03.2018 made in M.C.O.P.No.175 of 2014 on the file of the
Motor Accident Claims Tribunal/ Subordinate Court, Devakottai and
enhance the compensation and allow the civil Miscellaneous appeal
and thus 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.J.ANANDKUMAR, Advocate for the petitioner, the
court made the following order:

condone the delay of 203 days in representing the above Civil Miscellaneous 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.

sd/-
31/07/2019

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
DEVAKOTTAI.

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.

WEB COPY

ORDER
IN
CMP (MD) No.6761 of 2019
in
CMA (MD) No.SR51664 of 2018
Date : 31/07/2019

SMN

PK/JC/SAR-1/05.08.2019 : 2P/4C