

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

Tuesday, the Sixth day of August Two Thousand Nineteen

PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMP(MD) No.6845 of 2019
and
C.M.A(MD)No.SR.9933 of 2019

TAMILNADU STATE TRANSPORT CORPORATION LTD.,
MADURAI DIVISON III, RANITHOTTAM,
NAGERCOIL, KANYAKUMARI DISTRICT,
REP. BY ITS MANAGING DIRECTOR. PETITIONER/APPELLANT

Vs

1 DAVID SON KONSALIVES
2 DOMINIC FRANKLIN
3 NANCY DAVID SON
4 DIANA DAVIDSON @ ANUSHA
5 CHELLAPERUMAL 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 108 days caused in representing the appeal in CMA(MD).SR.9933/2019.

PRAYER IN C.M.A(MD)No.SR.9933 of 2019:

Pleased to allow this appeal, setaside the award and decree made in M.C.O.P.No.71 of 2010 dated 06.10.2012 on the file of the Motor Accident Claims Tribunal/Chief Judicial Magistrate Court, Kanyakumari District at Nagercoil.

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.P.PRABHAKARAN, Advocate for the petitioner, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 108 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.500/- (Rupees five hundred only) 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 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/-

06/08/2019

/ TRUE COPY /

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

TO

The Chief Judicial Magistrate,
Motor Accident Claims Tribunal,
Kanyakumari District at Nagercoil.

Copy To: The Officer incharge,
Legal Aid Service Authority,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CMP(MD) No.6845 of 2019

and

C.M.A(MD)No.SR.9933 of 2019

Date :06/08/2019

WEB COPY

msa

ES/JC/SAR 3/14.08.2019/2P/3C