

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2020

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBBIAH
AND
THE HONOURABLE Mr.JUSTICE C.SARAVANAN

C.M.P.No.9359 of 2020
in CMA.SR.19050 of 2020

(Heard through Video Conference)

M/s.United India Insurance Co. Ltd.,
Having its Branch Office at No.3,
Big Bazaar Street, Dharapuram,
Tiruppur District.

... Petitioner

Vs.

1. A.Karuppaiyan
S/o. Arunachalam
2. K.Santhoshselvam
S/o.R.Krishnan
3. E.Thenmozhi
W/o.Elango

... Respondents

C.M.P filed under Section 173(1) of Motor Vehicles Act, to condone the delay of 79 days in filing the above appeal against the order dated 26.07.2019 made in MCOP.No.18 of 2018 on the file of the Mother Accidents Claims Tribunal, Special Subordinate Judge, Erode.

For Petitioner : Mr.S.Arunkumar
For Respondents : Mr.SP.Yuaraj, for R1

ORDER

(Order of the Court was made by R.SUBBIAH, J.)

This Petition has been filed seeking to condone the delay of 79 days in filing the above appeal against the order dated 26.07.2019 made in MCOP.No.18 of 2018 on the file of the Mother Accidents Claims Tribunal, Special Subordinate Judge, Erode.

2. The learned counsel appearing for the first respondent has no objection for allowing this petition.

3. On being satisfied with the reasons stated in the affidavit and upon hearing the learned counsels for both the parties, we are of the opinion that the delay of 79 days in filing the appeal cannot be construed as inordinate in nature. Hence, the delay could be condoned in the interest of justice, so that the appellant / Insurance Company will have an opportunity of putting forth their case in the Civil Miscellaneous Appeal and the matter can be heard on merits.

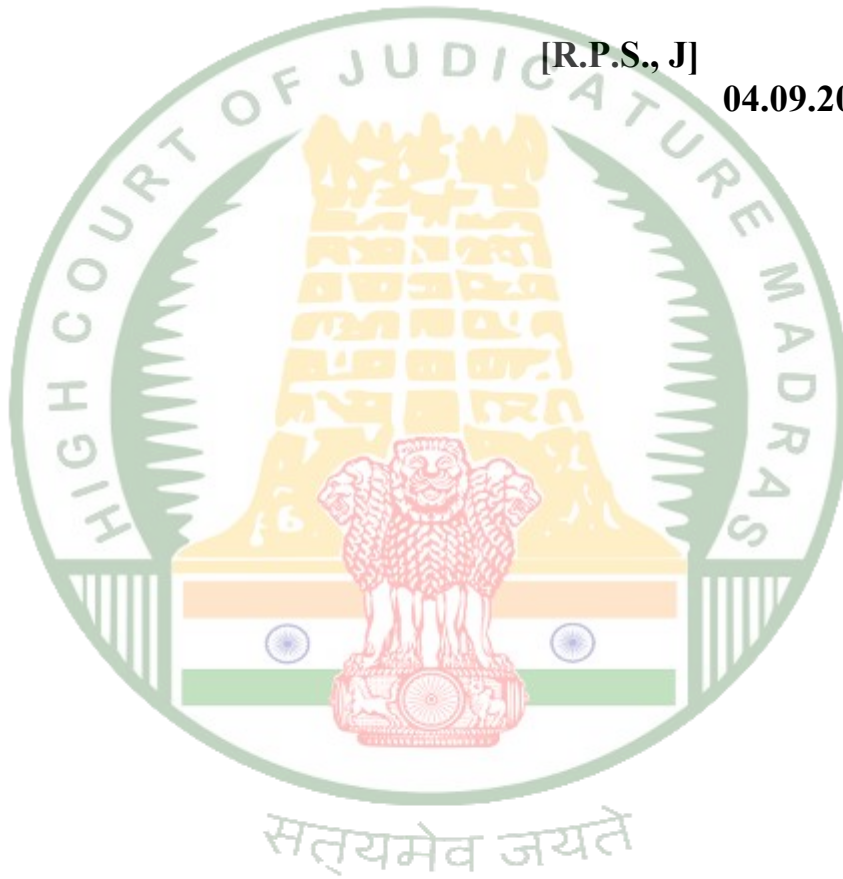
4. Accordingly, the delay of 79 days in filing the Civil Miscellaneous Appeal SR is condoned and this petition is allowed.

pvs
Internet: Yes

[R.P.S., J]

[C.S.N., J]

04.09.2020

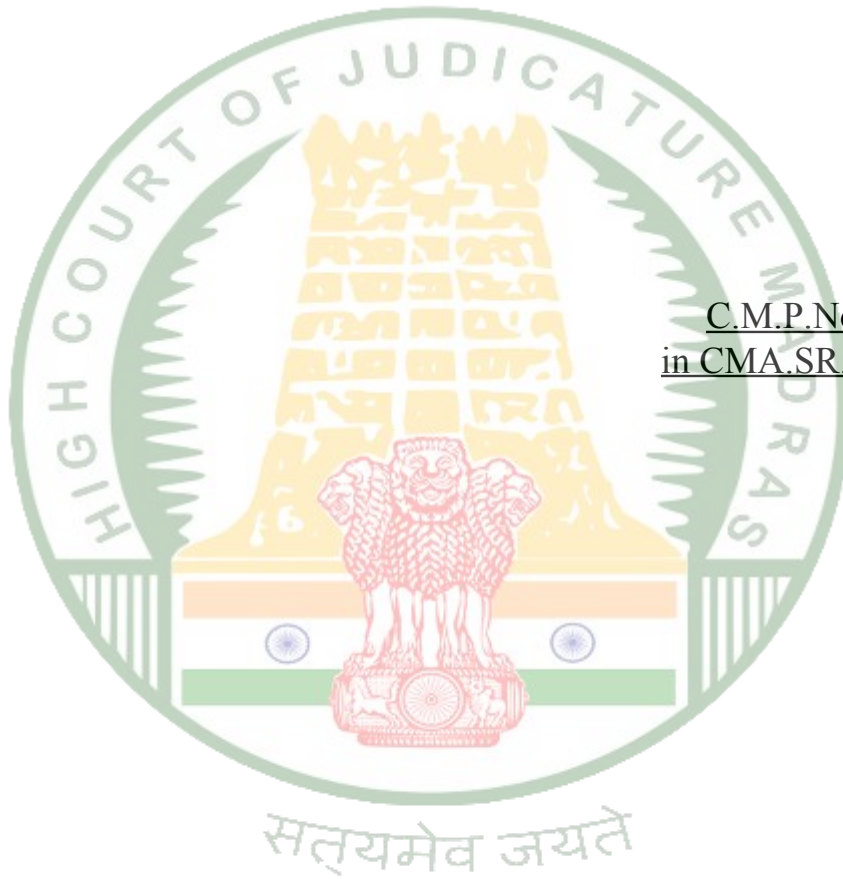


WEB COPY

C.M.P.No.9359 of 2020
in CMA.SR.19050 of 2020

R.SUBBIAH, J.
and
C.SARAVANAN, J.

pvs



C.M.P.No.9359 of 2020
in CMA.SR.19050 of 2020

04.09.2020

WEB COPY