

C.M.P.No.19634 of 2019 and
C.M.A.SR.No.114868 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.19634 of 2019 and
C.M.A.SR.No.114868 of 2019

1.Rajendran

2.Chitra

.. Petitioners

Vs.

1.Venkatachalam

2.The United Insurance Company Limited,
146, Kumar Complex, Tiruchengod,
Namakkal District.

.. Respondents

PRAYER: C.M.P.No.19634 of 2019 is filed under Section 173(1) of the Motor Vehicles Act, 1988, to condone the delay of 1927 days in filing the above appeal.

C.M.A.SR.No.114868 of 2019 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 07.01.2014 made in M.C.O.P.No.309 of 2012 on the file of Motor Accidents Claims Tribunal, Sub Court, Rasipuram.

For Petitioners : Mr.R.Nalliyappan
For R2 : Mrs.I.Malar

ORDER

This Civil Miscellaneous Petition is filed to condone the delay of 1927 days in filing the above C.M.A.SR.No.114868 of 2019, which is filed against the judgment and decree dated 07.01.2014 made in M.C.O.P.No.309 of 2012 on the file of Motor Accidents Claims Tribunal, Sub Court, Rasipuram.

2.Heard the learned counsel for the petitioners as well as the learned counsel for the 2nd respondent and perused the materials available on record.

3.According to the first petitioner, the award was passed on 07.01.2014. The copy application was applied on 20.04.2018 and the same was received on 15.05.2018. The 1st petitioner suffered from Dengue fever and therefore, he could not collect the papers from the Trial Court for filing the appeal in time. Hence, the delay of 1927 days has occurred in filing the appeal. The reason given by the

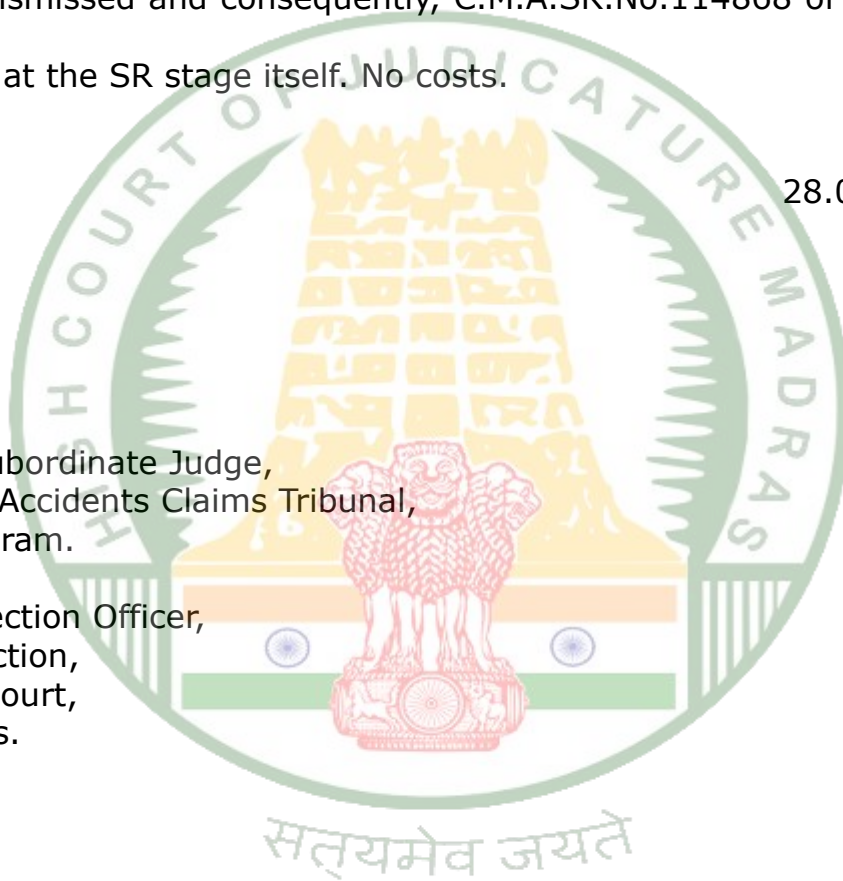
petitioners are not valid and sufficient to condone the delay of 1927 days in filing the appeal. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.19634 of 2019 stands dismissed and consequently, C.M.A.SR.No.114868 of 2019 is rejected at the SR stage itself. No costs.

28.01.2020

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To

- 1.The Subordinate Judge,
Motor Accidents Claims Tribunal,
Rasipuram.
- 2.The Section Officer,
VR Section,
High Court,
Madras.

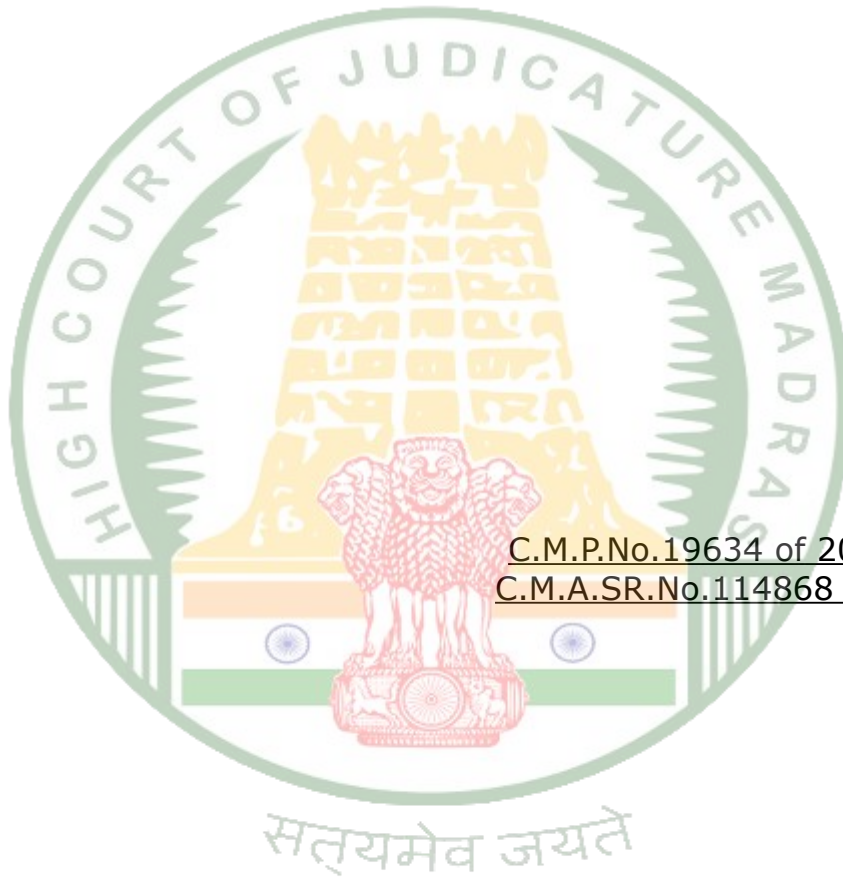


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V.M.VELUMANI, J.

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