



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

Thursday, the Second day of July Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.2651 of 2020

and

C.M.A(MD)No.SR 61086 of 2019

THE ORIENTAL INSURANCE COMPANY LIMITED,
REP.THROUGH ITS BRANCH MANAGER,
SKG SWAMY COMPLEX, FIRST FLOOR,
D.NO.72, VADAKKU RADHA VEETHI,
THENKASI.

... PETITIONER/ APPELLANT

Vs

1 THIRAVIAM
2 PETCHIAMMAL
3 MUTHUCHELVAN
4 KIRAN LAL

5 M/S.RELIANCE GENERAL INSURANCE COMPANY LIMITED,
THROUGH ITS BRANCH MANGER,
OFFICE AT 3RD FLOOR,
5TH LEVEL, TRANS TOWER,
VAZHUTHACAUD, TRIVANDRUM.

... RESPONDENTS/ RESPONDENTS

(RESPONDENT NOS.3 TO 5 GIVEN UP)

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 177 days in paying the deficit court fee of Rs.4,090/- in the above CM.A.SR.No.61086/2019 and thus render justice.

PRAYER IN C.M.A(MD)No.SR 61086 of 2019:

To set aside the order of the Motor Accident Claims Tribunal cum Chief Judicial Magistrate, Tirunelveli made in M.C.O.P.No.115/2016, dated 11.04.2019 and allow the appeal with costs and 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 MR.C.JAWAHAR RAVINDRAN, Advocate for the petitioner, the court made the following order:-



Heard.

This petition has been filed by the petitioner seeking to condone the delay of 177 days in paying the deficit Court fee.

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 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 civil miscellaneous appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-
02/07/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL
CUM CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

COPY TO:
THE AUTHORISED OFFICER,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.2651 of 2020
and
C.M.A(MD) No.SR 61086 of 2019
Date :02/07/2020

SMN
JM/PN/SAR 2/06.07.2020/2P/3C