

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the First day of April Two Thousand Twenty One

PRESENT

THE HON`BLE MS JUSTICE V.M.VELUMANI

CMP.No.4328 of 2021

IN CMA.SR.NO.9790 OF 2021

1 LAKSHMI [PETITIONERS]

2 MINOR KASTHURI

3 MINOR SUDHARSON

4 RATHINAM

Vs

1 THENMOZHI [RESPONDENTS]

2 UNITED INDIA INSURANCE COMPANY
LIMITED, TP HUB, NO. 104 RANGA BUILDING,
PERAMANUR MAIN ROAD, SALEM-7

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 445 days in filing the above CMA against the order in MCOP No. 510/2017 dated 06/10/2018 on the file of the Motor Accidents Claims Tribunal, The IInd Additional District Judge, Salem (in CMP.No.4328 of 2021).

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.PREMNATH for ME.S.P.YUARAJ, Advocate for the petitioners and of MR.M.J.VIJAYARAAGAVAN, Advocate for the 2nd respondent, the court made the following order:-

This petition is filed to condone the delay of 445 days in filing the above appeal.

2.Though notice has been served on the 1st respondent and her name is printed in the cause list, there is no representation for her, either in person or through counsel.

3.Mr.M.J.Vijayaraagavan, learned counsel takes notice for the 2nd respondent.

4. Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the 2nd respondent.

5. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the delay of 445 days is condoned on payment of cost of Rs.500/- (Rupees Five Hundred only) to **'Samarpana', No.10, Subramani Nagar, Vinayagapuram, Near Retteri, Kolathur Post, Chennai-99,** [Savings Bank Account No.10156284387, State Bank of India, Jawahar Nagar Branch, Chennai, IFSC Code SBIN0007582, Contact person: Mr.B.M.Sridhar, Mobile No.9282112830], within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically, without further reference to this Court. **It is made clear that the petitioner/appellant shall not be entitled for any interest for the compensation amount enhanced, if any, in the appeal.**

-sd/-
01/04/2021
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE IIND ADDITIONAL DISTRICT JUDGE,
THE MOTOR ACCIDENTS CLAIMS TRIBUNAL,
SALEM.

2 MR.B.M.SRIDHAR (MOBILE NO.9282112830)
SAMARPANA NO.10 , SUBRAMANI NAGAR, VINAYAGAPURAM,
NEAR RETTERI, KOLATHUR POST, CHENNAI-99.

3 THE ASSISTANT REGISTRAR,
AE SECTION,
HIGH COURT,
MADRAS-104.

Order
in

CMP.No.4328 of 2021
IN CMA.SR.NO.9790 OF 2021

Date :01/04/2021

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UM(09/04/2021)