



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CMP.No.18814 of 2021

in

CMA.SR.No.96851 of 2021

Tamil Nadu State Transport Corporation,
(Kumbakonam Division 2) Limited,
Rep. By its Managing Director, Trichy.

..Petitioner/Appellant
in CMA SR No.96851/21
sought to be preferred
on the file of this Court

Vs.

1.Saranya

2.P.K.Rajendran

..Respondents/Respondents
in CMA SR No.96851/21
sought to be preferred
on the file of this Court

Prayer: Civil Miscellaneous Petition filed under Section 173(1) of the Motor Vehicles Act, seeking to condone the delay of 3441 days in filing the appeal.

Prayer : Civil Miscellaneous Appeal SR No.96851 of 2021 filed to set aside the Decree and Judgment dated 05.08.2010 made in MCOP NO.118 of 2010 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Erode.

For Petitioner

: Mr.D.Venkatachalam

O R D E R

This petition has been filed by the Corporation seeking condonation of delay of 3441 days in filing the appeal.

2.The reason assigned for such extraordinary delay is only the usual administrative reasons. In Para 7 of the affidavit filed in support of this petition, the Corporation has



stated that the papers were sent to the Panel Advocate for opinion and after receipt of the opinion, it was sent to the Appeal committee for approval and the delay occurred due to the delay in convening the Appeal Committee meeting. This cannot be a reason for such very long delay of 3441 days.

3.Hence, I do not think, the Corporation has made out sufficient cause for condonation of delay. Even otherwise, a perusal of the award of the Motor Accidents Claims Tribunal, which is subject matter of challenge in the appeal shows that the total award is for a sum of Rs.1,02,550/- for the injuries suffered by the claimant. It is seen that the claimant has suffered 26% disability and the Tribunal has awarded a sum of Rs.52,000/- for the same, I therefore, do not think that the award can be termed as unreasonable or irrational. Hence, this civil miscellaneous petition is dismissed. The civil miscellaneous appeal stands rejected.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

kkn

To:-

Tamil Nadu State Transport Corporation,
(Kumbakonam Division 2) Limited,
Rep. By its Managing Director, Trichy.

Copy To

1. The Sub Assistant Registrar,
A.E. Section, (Main A.E.)
High Court, Madras.
2. The Section Officer,
VR Section, High Court, Madras.

CMP.No.18814 of 2021
in
CMA.SR.No.96851 of 2021

KV (CO)
GMY (07/12/2021)