



C.M.P.No.21359 of 2021
in
C.M.A.Sr.No.51546 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.M.P.No.21359 of 2021
and
C.M.A.Sr.No.51546 of 2019

The Managing Director
Metropolitan Transport Corporation Ltd.,
Anna Salai, Chennai – 2.

.. Petitioner

Vs.

Vignesh (Minor)

.. Respondent

PRAYER: Civil Miscellaneous Petition filed under Section 173(1) of the Motor Vehicles Act praying to condone the delay of 72 days in C.M.A.Sr.No.51546 of 2019 in pertinent to the judgment and decree dated 04.10.2018 made in M.C.O.P.No.7672 of 2013 on the file of the Motor Accidents Claims Tribunal (III Small Causes Court), Chennai.

For Petitioner : Mr.S.Sivakumar



WEB COPY



C.M.P.No.21359 of 2021
in
C.M.A.Sr.No.51546 of 2019

ORDER

The petitioner seeks condonation of delay of 72 days in filing the Civil Miscellaneous Appeal.

2. The appeal is directed against the award of the Motor Accidents Claims Tribunal granting a sum of Rs.25,000/- to the respondent as compensation.

3. The reasons assigned for the delay is that the award was passed on 04.10.2018 and the copies were received on 08.11.2018. It is claimed that the appellant/ Transport Corporation attempted to settle the matter amicably. Since the attempt failed, it had taken legal opinion and filed the appeal. In that process the delay of 72 days had occurred.

4. I do not think this would make out a sufficient cause for condonation of delay under Section 5 of the Limitation Act. Moreover the award is only for a sum of Rs.25,000/-. I therefore do not see any reason to



C.M.P.No.21359 of 2021
in
C.M.A.Sr.No.51546 of 2019

entertain this Petition and it is accordingly dismissed. In view of the dismissal of this Civil Miscellaneous Petition, the Civil Miscellaneous Appeal in C.M.A.Sr.No.51546 of 2019 stands rejected at the SR stage. No costs.

23.12.2021

dsa

Index : No

Speaking order

To
The Motor Accidents Claims Tribunal,
III Small Causes Court, Chennai.



WEB COPY



C.M.P.No.21359 of 2021
in
C.M.A.Sr.No.51546 of 2019

R.SUBRAMANIAN, J.

dsa

C.M.P.No.21359 of 2021
and
C.MA.Sr.No.51546 of 2019

23.12.2021