



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

Friday, the Fifth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.758 of 2021
in
C.M.A. (MD)No.SR 647 of 2020

BALAKRISHNAN

... PETITIONER/ APPELLANT

Vs

KRISHNAMOORTHY

... RESPONDENT/ PETITIONER

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 355 days in re-presenting the above appeal papers in CMA SR.(MD).No.647 of 2018 on the file of this Honourable Court.

PRAYER IN C.M.A. (MD)No.SR 647 of 2020:

To set aside the fair and decreetal order dated 20.08.2019 and made in MCOP No.108 of 2018 on the file of Motor Accident Claims Tribunal(Chief Judicial Magistrate), Sivagangai, in so far as it relates to the findings on negligence on the part of the appellant/respondent and also the consequential grant of compensation to the respondent/ claimant, allow the above appeal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.SRINIVASA RAGHAVAN, Advocate for the petitioner, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 355 days in representing the above Civil Miscellaneous Appeal.



2.Considering the reasons stated in the affidavit and also considering the length of delay, this Court is inclined to condone the delay subject to the payment of cost of Rs.2,000/- (Rupees two thousand only) to the Legal Services Authority, attached to this Bench, within a period of two weeks 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.

sd/-
05/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
SIVAGANGAI.

COPY TO:

THE OFFICER INCHARGE,
LEGAL SERVICES AUTHORITY
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.758 of 2021 IN
C.M.A.(MD)No.SR 647 of 2020
Date :05/02/2021

MSA
MS/VR/SAR-1/12.02.2021/2P.3C