



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

Tuesday, the Second day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

**CMP(MD) No.721 of 2020
in
CMA(MD) SR.No.82807 of 2019**

THE TAMILNADU STATE TRANSPORT CORPORATION,
THROUGH ITS THE MANAGING DIRECTOR,
BYE PASS ROAD, MADURAI DISTRICT. ... PETITIONER/APPELLANT

Vs

- 1 MINOR.DESHIKA
(THE MINOR RESPONDENT REPRESENTED THROUGH
HER FATHER/NEXT GUARDIAN S.GANESH)
- 2 GUNASEKAR
- 3 THE ORIENTAL INSURANCE COMPANY,
REP.BY ITS REGIONAL MANAGER,
OFFICE AT DOOR.NO.15, RS.ROAD, KUDIATTHAM,
VELLORE.
(POLICY No.413503/31/2016/1167) ... RESPONDENTS/RESPONDENT

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 134 days in filing the Civil Miscellaneous appeal against the Judgment and Decree dated 30.08.2019 passed in M.C.O.P.No. 46 of 2017 on the file of the Motor Accident Claims Tribunal (Chief Judicial Magistrate Court), Sivagangai.

PRAYER IN CMA(MD) SR.No.82807 of 2019:

To set aside the Judgment and Decree in MCOP.No.46 of 2017 dated 30.08.2018 on the file of the Motor Accident Claims Tribunal (Chief Judicial Magistrate Court), Sivagangai.

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.K.SUDALAYANDI, Advocate for the



petitioner and of Mr.C.JAWAHAR RAVINDRAN, Advocate for the 3rd Respondent, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 134 days in filing the above Civil Miscellaneous Appeal.

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.1000/- (Rupees One Thousand only) to the Legal Services Committee, attached to this Bench, within a period of two weeks from the date of receipt of a 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 appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-

02/02/2021

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/ /2021

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

TO

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

COPY TO:

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

ORDER IN

CMP(MD) No.721 of 2020

in

CMA(MD) SR.No.82807 of 2019

Date :02/02/2021

PKN

AE/SMA/SAR-II (05/02/2021) 2P / 3C