



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

Thursday, the Eleventh day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.2409 of 2021

IN

CMA (MD) SR NO.66091 of 2019

CHOLA INSURANCE SERVICE PRIVATE LTD.,
REP. BY ITS BRANCH MANAGER,
BRANCH OFFICER NMN PLAZA,
GROUND FLOOR, NO.5/45, MARKET ROAD,
MARTHANDAM, KANYAKUMARI-629 165.

... PETITIONER/ APPELLANT

Vs

1 R.SAROJINI

2 R.VIONTHKUMAR

3 R.AJITHKUMAR

4 V.RAMESH

5 R.AMIRTHA AROCKIYA MADHUMATHI

... RESPONDENTS/ RESPONDENTS

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 339 days in representing the above appeal papers in CMA.SR(MD)No.66091 of 2019 on the file of this Honourable Court.

PRAYER IN CMA(MD) SR NO.66091 of 2019:

To set aside the judgment and decree passed in MCOP No.61 of 2018 on the file of the Motor Accident Claims Tribunal/ Chief Judicial Magistrate, Nagercoil dated 22.05.2019.

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 Mrs.K.R.SHIVASHANKARI, Advocate for the petitioner, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 339 days in filing the above 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.1,000/- (Rupees One Thousand only), to the Legal Aid Service Authority, 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. This petition is accordingly ordered.

3. 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/-
11/03/2021

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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,
NAGERCOIL.

COPY TO:

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

ORDER
IN
CMP(MD) No.2409 of 2021 IN
CMA(MD) SR NO.66091 of 2019
Date :11/03/2021

GNS
MS/PN/SAR-2/16.03.2021/2P.3C