



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.5500 of 2020

IN

CMA(MD) SR No.13712 of 2020

THE NEW INDIA ASSURANCE CO.LTD.,
THROUGH ITS GENERAL MANAGER,
480, SEKKALAI ROAD, KARAUKUDI NAGAR,
SIVAGANGAI DISTRICT.

... PETITIONER/APPELLANT

Vs

1 RAJESWARI

2 GANDHI

3 THE PROJECT DIRECTOR CUM
DEPUTY GENERAL MANAGER,
NATIONAL HIGHWAYS DEPARTMENT,
PROJECT IMPLEMENTATION SECTION,
NO.1, SUBRAMANIAPURAM 3RD STREET,
KARAUKUDI NAGAR,
SIVAGANGAI DISTRICT.

... 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 76 days in filing the above Civil Miscellaneous Appeal.

PRAYER IN CMA(MD) SR No.13712 of 2020:

To set aside the Judgment and Decree dated 25.07.2019 passed in MCOP No.66 of 2014 on the file of the Motor Accident Claims Tribunal (Sub Court) Devakottai.

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.I.ROBERT CHANDRAKUMAR for Mr.G.PRABHU RAJADURAI, Advocate for the petitioner and of Mr.C.ARUL VADIVEL @ SEKAR, Advocate on behalf of the 3rd Respondent, and the Respondents 1 & 2 not appeared either in person or by an Advocate, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 76 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.500/- (Rupees Five Hundred 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

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL
DEVAKOTTAI

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

ORDER
IN
CMP(MD) No.5500 of 2020
IN
CMA(MD) SR No.13712 of 2020
Date : 02/02/2021

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PK/SMA/SAR-I/05.02.2021 : 2P/3C