



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

Thursday, the Eighteenth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.5168 of 2019

IN

CMA (MD) No.SR34266 of 2018

B.GOMATHI (DIED)

- 1.KADALKANNI @ KARPAGAM
- 2 B.THIYAGARAJAN
- 3 B.SAMINATHAN
- 4 B.ANJALI

C.KUNJAMMAL (DIED)

... PETITIONERS/APPELLANTS

Vs

1 S.RAJA

2.THE BRANCH MANAGER,
NEW INDIA ASSURANCE COMPANY LTD.,
NO.83, T.S.R. BIG STEET, KUMBAKONAM,
THANJAVUR DISTRICT.

3.THE DIVISIONAL MANAGER,
THE ORIENTAL INSURANCE COMPANY LTD.,
1ST FLOOR, GOPALRAO LIBRARY BUILDING,
TOWN HALL ROAD, KUMBAKONAM,
THANJAVUR 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 42 days in filing the application to condone the delay in filing the appeal.

PRAYER IN CMA(MD) No.SR34266 of 2018:

Pleased to modify the Judgment and Decree dated 19.03.2018 made in M.C.O.P.No.187 of 2016 on the file of the Motor Accident Claims Tribunal, Additional District Court, Kumbakonam.

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.SIVA THILAKAR, Advocate for the petitioner and Mr.A.ILANGO, Advocate for 2nd Respondent, and of



Mr.K.BHASKARAN, Advocate for 3rd Respondent, and Not Appeared either in person or by an Advocate for 1st Respondent, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 42 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 week 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/-

18/02/2021

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/ /2021

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

TO

THE ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, KUMBAKONAM.

COPY TO:

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

ORDER

IN

CMP(MD) No.5168 of 2019

IN

CMA(MD) No.SR34266 of 2018

Date :18/02/2021

PKN

TK/VR/SAR.1/23.02.2021/2P/3C