



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

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

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.5389 of 2019

IN

CMA(MD) SR.No.48059 of 2018

THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION,
PUDUKKOTTAI DISTRICT. ... PETITIONER/APPELLANT

Vs

T.MADHAVAN ... RESPONDENT/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 477 days in filing the above Civil Miscellaneous Appeal against the award passed in M.C.O.P.No.327 of 2010 in pursuant to the Judgment and Decree dated 28.04.2017 on the file of the Motor Accident Claims Tribunal, III Additional Sub Court, Tiruchirappalli.

PRAYER IN C.M.A. (MD) SR.No.48059 of 2018:

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, III Additional Sub Court, Tiruchirappalli in MCOP.No.327 of 2010 dated 28.04.2017.

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.D.SIVARAMAN, Advocate for the petitioner and of Mr.D.POOPAL, Advocate on behalf of the Respondent, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 477 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.2,000/- (Rupees two thousand only) to the Legal Aid



Service Authority, attached to this Bench, within a period of two weeks from the date of receipt of copy of this order, failing which the petition shall stand dismissed automatically without any further reference to this Court.

4.This petition is accordingly ordered.

5. The learned counsel for the appellant is directed to serve copies on the respondent's counsel in the meanwhile.

6.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".

sd/-
11/02/2021

/ 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 III ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUCHIRAPPALLI.

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

ORDER
IN
CMP (MD) No.5389 of 2019
IN
CMA (MD) No.SR48059 of 2018
Date :11/02/2021

msa
AE/SMA/SAR-IV (16/02/2021) 2P / 3C