



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

Wednesday, the Fifteenth day of September Two Thousand and Twenty One

PRESENT

The Hon'ble Mrs. Justice S. ANANTHI

CMP(MD) No.6505 of 2021

IN

CMA(MD) SR.No.31223 of 2021

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD.,
KARUR BYE PASS ROAD, TRICHY-19.
THROUGH ITS BRANCH MANAGER.

... PETITIONER/APPELLANT

Vs

1. S.MALARVIZHI
2. MINOR. MAHI
(MINOR 2ND RESPONDENT THROUGH HER MOTHER
AND GUARDIAN MALARVIZHI/1st RESPONDENT HEREIN)
3. M.SAROJA
4. S.MOORTHY
5. M.RADHIKA
6. MINOR. SATHIYA
(REPRESENTED BY ITS FATHER NATURAL GUARDIAN
4TH RESPONDENT)
7. K.BALAMURUGAN

... 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 425 days in filing the above C.M.A. against the judgment by the passed in M.C.O.P.No.160 of 2011 on the file of the Hon'ble Motor Accident Claims Tribunal, Kulithalai, Karur District dated 05.12.2018 pending disposal of the above affidavit.

PRAYER IN CMA(MD) SR.No.31223 of 2021 :

To set aside the judgment and decree dated 05.12.2018 in M.C.O.P.No. 160 of 2011 on the file of the Hon'ble Motor Accident Claims Tribunal, Kulithalai, Karur District and allow the above Civil Miscellaneous Appeal.

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.V.MUTHUKAMATCHI, Advocate for the petitioner and of Mr.M.VIJI, Advocate on behalf of the Respondents No.1 to 4, the court made the following order:-



This petition has been filed to condone the delay of 425 days in filing the above Civil Miscellaneous Appeal.

2. Heard the learned counsel appearing for the petitioner and the learned counsel for the respondents 1 to 4.

3. Considering the reasons stated in the affidavit filed in support of this petition, this petition will be allowed on payment of cost of Rs.1,500/- (Rupees one Thousand and Five Hundred only) to the Legal Services Authority attached to Madurai Bench of Madras High Court, Madurai, on or before 04.10.2021, failing which this petition shall stand dismissed automatically without any further reference to this Court.

4. Registry is directed to post the matter on 05.10.2021 for compliance.

sd/-
15/09/2021

/ TRUE COPY /

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

TO

THE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
KULITHALAI, KARUR DISTRICT.

COPY TO :

THE OFFICER IN-CHARGE,
LEGAL AID SERVICE COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (SOFT COPY).

ORDER
IN
CMP(MD) No.6505 of 2021
Date :15/09/2021

trp
USK/VR/SAR-III/(20.09.2021) 2P-2C