



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

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

WEB COPY

PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMP (MD) No.4630 of 2020
IN
CMA (MD) SR No.32493 of 2020

M/S.IFFCO-TOKKIO GENERAL INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
OFFICE AT THIRIPURA ARCADE,
3RD FLOOR, No.75, TRIVANDRUM ROAM,
PALAYAMKOTTAI,
TIRUNELVELI.

... PETITIONER/APPELLANT

Vs

1 SARATH BEEVI
2 METHA PILLAI

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order to Condone the Delay of 154 days in filing the appeal as against the Judgment and Decree dated 18.12.2019 passed in M.C.O.P.No.918 of 2015 on the file of the Motor Accident Claims Original Petition / Special Subordinate Judge of Tirunelveli and take the Appeal into file.

Prayer in CMA(MD) SR No.32493 of 2020:

To set aside the Judgment and decree dated 18.12.2019 passed in M.C.O.P.No.918 of 2015 on the file of the Motor Accident Claims Original Petition / Special Subordinate Judge of Tirunelveli by allowing this 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.SAKTHIVEL, Advocate for the petitioner and the Respondents are 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 154 days in filing the above Civil Miscellaneous Appeal.

2. The 2nd respondent is the owner of the vehicle and he remained exparte before the Court below.



3. 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 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. 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 SPECIAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

COPY TO:-

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

ORDER
IN
CMP(MD) No.4630 of 2020 IN
CMA(MD)SR No.32493 of 2020
Date :11/02/2021.