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

Monday, the Eighth day of February Two Thousand and Twenty One

PRESENT
The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.5371 of 2020
IN
CMA(MD) SR No.303 of 2020

ROYAL SUNDARAM GENERAL INSURANCE COMPANY LTD.,
MENA KAMPALA ARCADE,
SITHEYAGARAJA RAJA, T.NAGAR,
CHENNAI - 600 017.
(POLICY NUMBER VGVO407086000100 AND
VALID FROM 21.04.2016 TO 20.04.2017)
REP. BY ITS BRANCH MANAGER ... PETITIONER/APPELLANT

(*)Cause title accepted vide Court order
dated 08.10.2020 made in CMP(MD)No.4972 of 2020
in CMA(MD)SR No.303 of 2020 by NSSJ.

Vs

1 MURUGAN
2 SANKARAAMMAL
3 SURYA
4 RAMYA
5 PEER MYDEEN
6 MARIMUTHU

7 THE NEW INDIA ASSURANCE COMPANY LIMITED,
EAST CAST CHAMBERS,
92 GN CHETTI ROAD,
CHENNAI - 600 017 ... 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 151 days in filing the appeal against the fair and decreetal order dated 13.02.2019 made in M.C.O.P No. 1429 of 2016 on the file of the Motor Vehicles Accident Claims Tribunal, Principal District Judge, Tirunelveli.

PRAYER IN CMA(MD) SR No.303 of 2020:

To set aside the fair and decreetal order dated 13.02.2019 made in M.C.O.P.No.1429 of 2016 on the file of the Motor Vehicles Accident Claims Tribunal, Principal District Judge, Tirunelveli and allow this Appeal.

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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.M.E.ILANGO, Advocate for the petitioner and of Mr.T.SELVAKUMARAN, Advocate on behalf of the Respondents 1 to 4 and Mr.B.VIJAYAKARTHIKEYAN, Advocate for 7th Respondent and the 6th Respondent 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 151 days in filing the above Civil Miscellaneous Appeal.

2. Mr.T.Selvakumaran, learned Counsel, takes notice for the respondents 1 to 4. Mr.R.Vijayakarthikeyan, learned Counsel, takes notice for the 7th Respondent. 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 One Thousand 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/-
08/02/2021

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

TO

THE PRINCIPAL DISTRICT JUDGE,
MOTOR VEHICLES ACCIDENT CLAIMS TRIBUNAL, TIRUNELVELI

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

ORDER IN
CMP(MD) No.5371 of 2020 IN
CMA(MD) SR No.303 of 2020
Date :08/02/2021
(1/2)

PKN
PK/JC/SAR-III/11.02.2021 : 2P/3C

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