



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

Tuesday, the Second day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.7205 of 2019

IN

CMA(MD) SR NO.22713 of 2019

CHANDRAN

... PETITIONER/APPELLANT

Vs

1 VINISHKUMAR

2 SHAJIN

3 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY,
MARTHANDAM, BRANCH OFFICE,
ASSISI BUILDING 2ND FLOOR,
P.W.D.ROAD, NAGERCOIL,
AGASTEESWARAM TALUK,
KANYAKUMARI DISTRICT.

... RESPONDENTS/RESPONDENTS

(R1 AND R2 SET EXPARTE IN LOWER COURT : NOTICE DISPENSED WITH)

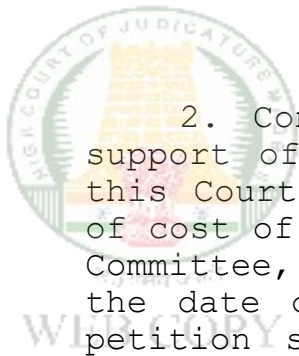
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 58 days in filing the above CMA against the Judgment and Decree passed by the Motor Accident Claims Tribunal/I Additional Sub Court, Nagercoil, Kanyakumari District in M.C.O.P.No.135 of 2017 dated 11.12.2018.

PRAYER IN CMA(MD) SR NO.22713 of 2019:

To allow the appeal and enhance the compensation awarded in M.C.O.P.No.135 of 2017 dated 11.12.2018 on the file of the Motor Accident Claims Tribunal/ I Additional Sub Court, Nagercoil, Kanyakumari District.

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 Ms.A.ELIS CHITRA DEVI, Advocate for the petitioner and of the 3rd 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 58 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 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/-
02/02/2021

/ TRUE COPY /

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

TO

THE I ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAGERCOIL, KANYAKUMARI DISTRICT

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

ORDER
IN
CMP(MD) No.7205 of 2019 IN
CMA(MD) SR NO.22713 of 2019
Date : 02/02/2021

pkn
PK/SMA/SAR-III/05.02.2021 : 2P/3C