



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

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

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PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMP (MD) No.7412 of 2020
IN
CMA (MD) SR.No.40424 of 2020

S.MAHARAJA

... APPELLANT/PETITIONER

Vs

1 D. ASITHAR

2 THE ORIENTAL INSURANCE COMPANY LIMITED,
THROUGH ITS BRANCH MANAGER,
BRANCH OFFICE,
D.No.43 AND 44, MAIN ROAD,
VALLIYOOR, RADHAPURAM TALUK,
TIRUNELVELI DISTRICT.

... 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 79 days in filing the Civil Miscellaneous Appeal.

Prayer in CMA(MD) SR.No.40424 of 2020:

To allow the Civil Miscellaneous Appeal and set aside the Fair and Decretal Order in M.C.O.P.No.263 of 2017 dated 31.10.2019 on the file of the Chief Judicial Magistrate/Motor Vehicle Accidents Claim Tribunal, Tirunelveli.

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.I.PINAYGASH, Advocate for the petitioner and of Mr.K.BHASKARAN, Advocate for the 2nd Respondent, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 79 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.

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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 CHIEF JUDICIAL MAGISTRATE/
MOTOR VEHICLE ACCIDENTS CLAIM TRIBUNAL,
TIRUNELVELI.

COPY TO:-

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

ORDER
IN
CMP(MD) No.7412 of 2020 IN
CMA(MD) SR.No.40424 of 2020
Date :02/02/2021

PKN
TE/SMA/SAR-III : 05/02/2021 : 2P/3C