



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

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

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.5650 of 2020

in

CMA (MD) SR.No.41162 of 2020

1 SARASWATHI
2 AHILA SIVAGAMI
3 GANDHIMATHI
4 ANBUMATHI

... PETITIONERS/APPELLANTS

Vs

1 JALEEL
PROPRIETOR,
M/S.BEST TRADING COMPANY,
EDAMUTTAM POST, THIRSSUR
(R1 EXPARTE BEFORE THE TRIAL COURT. HENCE NOTICE DISPENSED WITH)

2 NATIONAL INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
NUMBER ARCADE, M.G.ROAD, THIRSSUR, KERALA STATE.

3 TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
THROUGH ITS MANAGING DIRECTOR,
NO.2, TRIVANDRUM ROAD,
VANNARAPETTAI, TIRUNELVELI. ... 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 543 days in filing the above Civil Miscellaneous Appeal in CMA (MD)SR.No.41162 of 2020.

PRAYER IN C.M.A.(MD)SR.No.41162 of 2020:

To allow this appeal, enhance the award amount in M.C.O.P.No.1091 of 2015 on the file of the Motor Accident Claims Tribunal, (Special Sub Court), Tirunelveli, dated 30.11.2017.

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.T.SELVAKUMARAN, Advocate for the petitioners and of Mr.N.S.RAMAKRISHNADASS, Advocate for the 2nd Respondent and 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 petitioners seeking to condone the delay of 543 days in filing the above Civil Miscellaneous Appeal.

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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.2,000/- (Rupees two 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.

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".

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 AUTHORISED OFFICER,
LEGAL AID SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CMP(MD) No.5650 of 2020 IN
CMA(MD) SR.No.41162 of 2020
Date :11/02/2021

msa

<https://hccs.csls.gov.in/Services/16/02/2021> 2P /3C