



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

Thursday, the Twenty First day of October Two Thousand and
Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CMP(MD) No.8220 of 2021
in
C.M.A(MD) SR.No.52976 of 2018

1 PENJAMIN THOMAS
2 ARULMARI

... PETITIONERS/ APPELLANTS

Vs

1 MURUGAIYAN

2 THE BRANCH MANAGER,
THE NEW INDIA ASSURANCE COMPANY PRIVATE LIMITED,
128A, THIRU.V.K.ROAD, VILLUPURAM.

3 SEENIVASAN,

4 NATIONAL INSURANCE COMPANY LIMITED,
33, BHARATHIDHASAN ROAD,
CANTONMENT,TRICHY.

... 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 936 days in representing civil miscellaneous appeal preferred by the petitioner in CMA(MD) No SR.52976 of 2018 against the judgment and decree in MCOP No.18 of 2011 dated 25.03.2015 on the file of the learned Motor Accident claims Tribunal/ the Honourable Additional District Judge and Special Judge, Pudukottai and thus render justice.

PRAYER IN C.M.A(MD) SR.No.52976 of 2018:

To enhance the award amount to Rs.9,60,000/-(Rupees Nine Lakhs and Sixty Thousand Only) in judgment and decree dated 25.03.2015 made in M.C.O.P.No.18 of 2011 on the file of the MACT, Additional District Judge, Pudukkottai.

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.P.GANAPATHI SUBRAMANIAN, Advocate for the petitioners, the court made the following order:-



This Petition has been filed seeking to condone the delay of 936 days in representing the appeal papers in the above Civil Miscellaneous Appeal.

2. Heard the learned counsel appearing for the Petitioner and perused the materials placed before this Court.

3. For the reasons assigned in Paragraph Nos.6 and 7 of the accompanying affidavit and also considering the length of delay, this Court is of the view that this Petition may be ordered, on payment of costs.

4. In view of the above, this Petition is ordered and the delay of 936 days in representing the above Civil Miscellaneous Appeal is condoned on condition that the Petitioner pay a sum of Rs.1,000/- (Rupees One Thousand only) to the Advocates Welfare Fund, Madurai Bench of Madras High Court, bearing Account No.7087208431 in Indian Bank, High Court Branch, Madurai, towards costs, within a period of one week from the date of receipt of a copy of this order, failing which, this Petition shall stand automatically dismissed, without further reference to this Court.

sd/-

21/10/2021

/ 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 ADDITIONAL DISTRICT JUDGE AND SPECIAL JUDGE,
THE MOTOR ACCIDENT CLAIM TRIBUNAL, PUDUKKOTTAI.

COPY TO:

THE OFFICER INCHARGE,
ADVOCATES WELFARE FUND,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CMP(MD) No.8220 of 2021 in
C.M.A(MD) SR.No.52976 of 2018
Date :21/10/2021

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<https://hmcjv.csr.gov.in/Services/10.2021/2P.3C>