



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

Wednesday, the Fifteenth day of September Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMP (MD) .No. 6873 of 2020

in

CMA (MD) SR.No.44629 of 2020

SATHIYAMOORTHY

... PETITIONER/APPELLANT

Vs

1 JEYAM

2 NATIONAL INSURANCE COMPANY LTD,
THROUGH ITS DIVISIONAL MANAGER,
NO.6, WEST MASI STREET,
MADURAI TOWN, MADURAI 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 2206 days in preferring the above CMA before this Honourable Court.

PRAYER IN CMA (MD) SR.No.44629 of 2020:

To set aside the judgment and Decree made in M.C.O.P.No.68 of 2011 order dated 10.12.2013 on the file of the Motor Accident Claim Tribunal, Chief Judicial Magistrate, Sivagangai by enhance the award amount.

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.A.SHAJAHAN, Advocate for the petitioner and of MR.J.S.MURALI, Advocate on behalf of the 2nd Respondent, the court made the following order:-

This petition has been filed to condone the delay of 2206 days in filing the above Civil Miscellaneous Appeal.

2. Heard the learned counsel appearing for the petitioner.

3. The learned counsel appearing for the 2nd respondent / Insurance Company strongly objected that the delay is very huge and that the petition cannot be allowed. He further submitted that the 2nd respondent / Insurance Company has filed an appeal in CMA (MD) .No.486 of 2014 and the same is pending.



4. The learned counsel for the petitioner would submit that the petitioner is ready to waive the interest for the delay period.

5. Considering the facts and circumstances, this petition will be allowed on payment of cost of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) to the Legal Services Authority attached to Madurai Bench of Madras High Court, Madurai, on or before 04.10.2021, failing which, this petition shall stand dismissed automatically without any further reference to this Court.

6. The petitioner is not entitled to get any interest for the delay period.

7. Registry is directed to post the matter on 05.10.2021 for compliance.

Sd/-
15/09/2021

/ TRUE COPY /

/ /2021

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

TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIM TRIBUNAL,
SIVAGANGAI.

COPY TO

THE AUTHORIZED OFFICER,
LEGAL AID SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (Soft Copy)

ORDER
IN
CMP (MD) .No. 6873 of 2020
in
CMA (MD) SR.No.44629 of 2020
Date :15/09/2021

VB/JC/SAR.III/20.09.2021/2P/2C