



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Twenty Ninth day of January Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMP(MD) No.8291 of 2019

in

CMA(MD) SR No.56412 of 2014

THE NATIONAL INSURANCE COMPANY LIMITED,
THROUGH ITS MANAGER,
SEKKALAI ROAD,
KARAIKUDI, SIVAGANGAI DISTRICT.

... PETITIONER/APPELLANT

Vs

1 CHANDRA
2 KOTTAISAMY
3 DHEEBA
4 JAISHANKAR
5 THE NATIONAL INSURANCE COMPANY LTD.,
THROUGH ITS MANAGER,
DIVISION OFFICE 7, 50,JOHNBATH ROAD,
NEW DELHI.

... 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 447 days in filing the CMA(MD)SR.No.56412 of 2014 against the award passed in M.C.O.P.No.24 of 2010 dated 05.09.2012 on the file of the Motor Accident Claims Tribunal, I Sub Court, Devakottai.

Prayer in CMA(MD) SR No.56412 of 2014:

Civil Miscellaneous Appeal filed may be pleased to set aside the judgment and decree passed by the Motor Accident Claims Tribunal, I Sub Court, Devakottai, in M.C.O.P No.24 of 2010 dated 05.09.2012.

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.D.SIVARAMAN, Advocate for the petitioner and none appeared either in person or by an advocate on behalf of the Respondents, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 447 days in representing 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.2000/- (Rupees Two Thousand only), to the Legal Aid Service Authority, attached to this Bench, within a period of one week 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/-
29/01/2021

/ TRUE COPY /

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

TO

THE I SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
DEVAKOTTAI.

COPY TO:

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

ORDER
IN
CMP(MD) No.8291 of 2019 in
CMA(MD) SR No.56412 of 2014
Date :29/01/2021

PKN
SRS/JC/SAR-I/04.02.2021/2P/3C