



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

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

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.6264 of 2020
and
CMA (MD) SR.No.45723 of 2020

THE UNITED INDIA INSURANCE COMPANY.,
REPRESENTED BY ITS MANAMADURAI BRANCH MANAGER,
HAVING OFFICE AT
D.NO. 124-A, BYE PASS ROAD,
ANANDHAPURAM, MANAMADURAI.

... PETITIONER/APELLANT

Vs

1 DEIVAJOTHI
2 S.NAGARAJ

... RESPONDENTS/RESPONDENTS

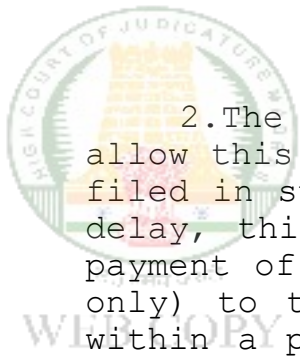
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order to condone the delay of 331 days in filing the Appeal against the award/Decree and Judgment dated 02.01.2019 passed in MCOP No.76/2017 on the file of the Honourable Motor Accidents Claims Tribunal/ Chief Judicial Magistrate, Sivagangai decide the Appeal on merits and further be pleased to pass such further or other orders as this honourable court may deem fit and proper in the circumstances of this case.

PRAYER IN CMA(MD) SR.No.45723 of 2020:

To set aside the Judgment and Decree dated 02.01.2019 passed in MCOP No.76/2017 on the file of the Motor Accidents Claims Tribunal/ Chief Judicial Magistrate, Sivagangai and be pleased to pass any such further or other orders as this Hon'ble Court may deem fit and proper under the facts and circumstances of this case.

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.C.KARTHIK, Advocate for the petitioner and of MR.R.SENTHILKUMAR, 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 331 days in filing the above Civil Miscellaneous Appeal.



2.The learned counsel for the respondents has no objection to allow this petition. 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.1,500/- (Rupees one thousand and five hundred 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/-
29/01/2021

/ 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 CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL, SIVAGANGAI.

COPY TO:
THE AUTHORISED OFFICER,
LEGAL AID SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.6264 of 2020
and
CMA(MD)SR.No.45723 of 2020
Date :29/01/2021

MSA
JM/VR/SAR I/03.02.2021/2P/3C

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