



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

Monday, the Eighth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.6834 of 2020

IN

CMA (MD) SR No.15983 of 2019

NATIONAL INSURANCE COMPANY LTD,
REP. BY ITS DIVISIONAL MANAGER
WITH ITS DIVISIONAL OFFICE AT
ANGUVILAS BUILDINGS,
NORTH CAR STREET, NAGERCOIL,
KANYAKUMARI DISTRICT.

... PETITIONER/APELLANT

Vs

1 BERKMANS JOHNSON
2 MARY THAMARAI SELVI
3 ANUSINDIA
4 P.MANOCHARAN

5 NATIONAL INSURANCE COMPANY LTD,
REP. BY ITS BRANCH MANAGER WITH ITS
BRANCH OFFICE AT II FLOOR,
K.K.BUILDINGS, ARISTO JUNCTION
THAMPANOOR, PB NO.407,
THIRUVANANTHAPURAM-695 014.

... 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 598 days in payment of deficit court fee of Rs. 11,865 in CMA SR (MD). No. 15983 of 2019 on the file of this Honourable Court.

PRAYER IN CMA SR(MD) .No.15983 of 2019 :

To set aside the fair and decreetal order dated 22.10.2018 made in MCOP No.12 of 2015 on the file of Motor Accident Claims Tribunal (Principal Sub Judge), Nagercoil and allow this appeal.

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.S.SRINIVASA RAGHAVAN, Advocate for the

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petitioner and of Mr.T.SELVAKUMARAN, Advocate on behalf of the Respondents 1 to 3, and the Respondents 4 & 5 not appeared either in person or by an Advocate, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 598 days in filing 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.1,500/- (Rupees One Thousand and Five Hundred only) to the Legal Services Committee, attached to this Bench, within a period of two weeks 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/-
08/02/2021

/ TRUE COPY /

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

TO

THE PRINCIPAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, NAGERCOIL

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

+1. C.C. to Mr.T.SELVAKUMARAN, Advocate SR.No.4185(F)

ORDER
IN
CMP(MD) No.6834 of 2020 IN
CMA(MD) SR No.15983 of 2019
Date :08/02/2021

PKN
PK/JC/SAR-I/11.02.2021 : 2P/4C