



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Second day of February Two Thousand and Twenty One

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PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMP(MD) No.7437 of 2020

in

CMA(MD) SR No.49306 of 2020

SHANMUGAM

... PETITIONER/APPELLANT

Vs

1 M/S.SOLAIMALAI PROPERTIES (P)LIMITED,
THROUGH ITS MANAGING DIRECTOR,
NO.7, MANGAYARKARASI COLLEGE ROAD,
SOLAIMALAI NAGAR, PARAVAI,
MADURAI - 625 402.

2 RELIANCE GENERAL INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
NO.184/9B/7, V.V.D. MAIN ROAD,
NEAR STATE BANK OF INDIA,
TUTICORIN.

... RESPONDENTS/RESPONDENTS

(R1 exparte before the Tribunal.
Hence notice dispensed with)

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 485 days in filing the above Civil Miscellaneous Appeal in C.M.A.(MD).S.R.No.49306 of 2020.

Prayer in CMA(MD) SR No.49306 of 2020:

Civil Miscellaneous Appeal filed may be pleased to allow this appeal, enhance the award amount in M.C.O.P. No.112 of 2016 on the file of the Motor Accident Claims Tribunal, (Chief Judicial Magistrate Court), Tirunelveli, dated 27.02.2019.

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.T.SELVAKUMARAN, Advocate for the petitioners and of Mr.V.SHAKTHIVEL, Advocate on behalf of the second respondent, the Court made the following order:-

This petition has been filed by the petitioner seeking to
<https://hcservices.ecourts.gov.in/hcservices/>



condone the delay of 485 days in filing the above Civil Miscellaneous Appeal.

2. Mr.V.Shakthivel, learned Counsel takes notice for the second respondent.

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3. 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.1000/- (Rupees One Thousand 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.

4. This petition is accordingly ordered.

5. 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/-
02/02/2021

/ TRUE COPY /

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

TO

THE CHIEF JUDICIAL MAGISTRATE
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

COPY TO:

THE OFFICER INCHARGE,
LEGAL AID SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.7437 of 2020 in
CMA(MD) SR No.49306 of 2020
Date :02/02/2021

PKN
SRS/JC/SAR-III/05.02.2021/2P/3C