



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.7350 of 2020
in
C.M.A (MD) SR.No.86165 of 2019

MUTHUKRISHNAN

... PETITIONER/ APPELLANT

Vs

BABU MATHEW (DIED)

1 THE NEW INDIA ASSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
STAR BUILDING, II FLOOR,
CHENNATTUMATTOM JUNCTION,
KATTAPPANA, IDUKKI DISTRICT-685 508.

2 TAMILNADU STATE TRANSPORT CORPORATION LTD,
THROUGH ITS MANAGING DIRECTOR,
NO.2, TRIVANDRUM ROAD,
VANNARAPETTAI, TIRUNELVELI-3.

3 MOLLY ... RESPONDENTS/ RESPONDENTS
(Respondent No.1 added as legal heirs of deceased
1st respondent as per order in I.A.No.62 of 2017,
dated 04.04.2017 and amended as per order
in I.A.No.410 of 2017, dated 17.07.2017)

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 296 days in filing the above Civil Miscellaneous Appeal in CMA(MD)SR.No.86165 of 2019.

PRAYER IN C.M.A(MD) SR.No.86165 of 2019:

To allow this appeal, enhance the award amount in M.C.O.P.No.1494 of 2016 on the file of the Motor Accident Claims Tribunal, (Principal District Judge), Tirunelveli, dated 17.09.2018.

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 Ms.D.SELVAKUMARI, Advocate for the petitioner and of Mr.J.S.MURALI, Advocate for the 1st Respondent, the court made the following order:-



This petition has been filed by the petitioner seeking to condone the delay of 296 days in filing the above Civil Miscellaneous Appeal.

2. Mr.J.S.Murali, learned Counsel, takes notice for the 1st respondent. 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.2,000/- (Rupees Two 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.

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 DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

COPY TO:

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

ORDER
IN
CMP(MD) No.7350 of 2020 in
C.M.A(MD) SR.No.86165 of 2019
Date :08/02/2021

PKN
MS/VR/SAR-3/11.02.2021/2P.3C