



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

Monday, the First day of November Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

C.M.P(MD)No.9001 of 2021

in

C.M.A(MD) No.SR3288 of 2017

1 MARIAMMAL

2 THANGAMARIAPPAN

3 SATHYA

4 MINOR.RAJKUMAR

(REP BY ITS GUARDIAN NATURAL
MOTHER THE 1ST PETITIONER)

... APPELLANTS/ PETITIONERS

Vs

1 SURESH KUMAR

2 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
D.NO.213/C/18, ODAIKARAI STREET,
CUMBAM.

... 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 1117 days in representing the appeal in C.M.A(MD)Sr. No. 3288 of 2017.

PRAYER IN C.M.A(MD) No.SR3288 of 2017:

To enhance the award amount to Rs.1,80,993/- (Rupees one lakh eighty thousand nine hundred and ninety three only) in judgment and decree dated 26.11.2015 made in M.C.O.P.No.71 of 2012 on the file of the Motor Accidents Claims Tribunal, The Learned Chief Judicial Magistrate Court, Virudhunagar District at Srivilliputhur.

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.P.GANAPATHI SUBRAMANIAN, Advocate for the petitioner, the court made the following order:-

This Petition has been filed seeking to condone the delay of 1117 days in representing the above Civil Miscellaneous Appeal.

2.Heard the learned counsel for the petitioner and perused the

<https://hccservices.courts.gov.in/hccservices/> before this Court.



3.For the reasons assigned in Paragraph Nos.3 and 4 of the accompanying affidavit and also considering the length of delay, this Court is of the view that this Petition may be ordered, on payment of costs.

4.In view of the above, this Petition is ordered and the delay of 1117 days in representing the above Civil Miscellaneous Appeal is condoned on condition that the Petitioners pay a sum of Rs.1,000/- (Rupees One Thousand only) to the Advocates Welfare Fund, Madurai Bench of Madras High Court, bearing Account No.7087208431 in Indian Bank, High Court Branch, Madurai, towards costs, within a period of one week from the date of receipt of a copy of this order, failing which, this Petition shall stand automatically dismissed, without further reference to this Court.

sd/-

01/11/2021

/ 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 MOTOR ACCIDENT CLAIMS TRIBUNAL,
CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

COPY TO:

THE OFFICER INCHARGE,
ADVOCATES WELFARE FUND,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

C.M.P (MD)No.9001 of 2021

in

C.M.A (MD) No.SR.3288 of 2017

Date :01/11/2021

MK/PN/SAR.I/09.11.2021/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>