



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.7073 of 2020

in

C.M.A (MD) SR.No.51028 of 2020

MINOR.RAJARATHINAM  
REP.BY HIS MOTHER AND  
NEXT GUARDIAN PARVATHY.

... PETITIONER/ APPELLANT

Vs

1 SARAVANAN

2 UNITED INDIA INSURANCE COMPANY LTD.,  
THROUGH ITS BRANCH MANAGER,  
NUMBER 37/2, MATTAPPA STREET,  
NEEL COMPLEX, II FLOOR,  
TENKASI -627811.

... RESPONDENTS/ RESPONDENTS

(R1 EXPARTE BEFORE THE TRIBUNAL.  
HENCE NOTICE DEISPENSED WITH)

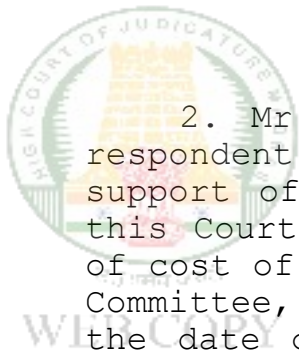
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 97 days in filing the above Civil Miscellaneous Appeal in CMA.SR.(MD).No.51029 of 2020.

**PRAYER IN C.M.A(MD) SR.No.51028 of 2020:**

To allow this appeal, enhance the award amount in M.C.O.P.No.114 of 2016 on the file of the Motor Accident Claims Tribunal, (Special Subordinate Judge,) [Dealing with M.C.O.P. Cases], Tirunelveli, dated 25.07.2019.

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 petitioner and of Mr.N.DILIPKUMAR, Advocate for the 2<sup>nd</sup> Respondent, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 97 days in filing the above Civil Miscellaneous Appeal.



2. Mr.N.Dilip Kumar, learned Counsel,takes notice for the 2<sup>nd</sup> 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.500/- (Rupees 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

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/ /2021

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

TO

THE SPECIAL SUBORDINATE JUDGE  
MOTOR ACCIDENT CLAIMS TRIBUNAL,  
[DEALING WITH M.C.O.P. CASES],  
TIRUNELVELI.

**COPY TO:**

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

ORDER

IN

CMP(MD) No.7073 of 2020 IN  
C.M.A(MD) SR.No.51028 of 2020  
Date :08/02/2021

pkn

MS/VR/SAR-1/12.02.2021/2P.3C