



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.7251 of 2020

IN

CMA (MD) SR No.51172 of 2020

1 MURUGAN
2 SANKARAMMAL
3 SURYA
4 RAMYA

... PETITIONERS/APPELLANTS

Vs

1 PEER MYDEEN

2 ROYAL SUNDARAM ALLIANCE INSURANCE BLOCK,
MENA KAMPALARCADE,
SITHEYAGARAJA ROAD,
T.NAGAR, CHENNAI - 600 017.

3 MARIMUTHU

4 THE NEW INDIA ASSURANCE COMPANY LIMITED,
EAST CAST CHAMBERS,
NO.92 GN CHETTI ROAD,
CHENNAI - 600 017.

... RESPONDENTS/RESPONDENTS

(R1 AND R3 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 505 days in filing the above Civil Miscellaneous Appeal in C.M.A. (MD).S.R.No.51172 of 2020.

PRAYER IN C.M.A. (MD) .S.R.No.51172 of 2020:

To allow this appeal, enhance the award amount in M.C.O.P.No.1429 of 2016 on the file of the Motor Accident claims Tribunal, (Principal District Judge), Tirunelveli dated 13.02.2019.

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 petitioner and of Mr.R.VIJAYAKARTHIKEYAN, Advocate on behalf of the 4th Respondent, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 505 days in filing the above Civil Miscellaneous Appeal.

2. Mr.R.Vijayakarathikeyan, learned Counsel, takes notice for the 4th 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.2,500/- (Rupees Two 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 DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUNELVELI.

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

ORDER
IN
CMP(MD) No.7251 of 2020 IN
CMA(MD) SR No.51172 of 2020
Date :08/02/2021
(2/2)

pkn
PK/JC/SAR-III/11.02.2021 : 2P/3C