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

Friday, the Twenty Ninth day of January Two Thousand and Twenty One

PRESENT
The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) Nos.11361 and 11362 of 2019
AND
CMA(MD)SR Nos.64687 and 64681 of 2019

ROYAL SUNDARAM ALLIANCE INSURANCE CO.LTD.,
BRANCH MANAGER, ATP TOWERS,
NO.12-A, 5TH FLOOR, BYE PASS ROAD,
MADURAI. ... PETITIONER/APPELLANT
IN BOTH THE PETITIONS

Vs

1 MUTHUMEENAL
2 ANANDAVALLI
3 MURUGAN
4 PALANICHAMY
5 MURUGAVEL ... RESPONDENTS/RESPONDENTS
IN CMP(MD)No.11361/2019 IN CMA(MD)SRNo.64687/2019

1.PANCHU
2.MURUGAVEL ... RESPONDENTS/RESPONDENTS
IN CMP(MD)No.11362/2019 IN CMA(MD)SRNo.64681/2019

PRAYER IN CMP(MD)No.11361/2019 IN CMA(MD)SRNo.64687/2019:
To Condone the delay of 824 days in filing the above appeal against the fair and decreetal order dated 20.03.2017 made in MCOP No.143 of 2016 on the file of Motor Accident Claims Tribunal, (Chief Judicial Magistrate), Sivagangai.

PRAYER IN CMA(MD)SRNo.64687/2019:
To set aside the fair and decreetal order dated 20.03.2017 made in MCOP No.143 of 2016 on the file of Motor Accident Claims Tribunal, (Chief Judicial Magistrate), Sivagangai and allow this Civil Miscellaneous Appeal.

PRAYER IN CMP(MD)No.11362/2019 IN CMA(MD)SRNo.64681/2019
To Condone the delay of 720 days in filing the above appeal against the fair and decreetal order dated 20.03.2017 made in MCOP No.144 of 2016 on the file of Motor Accident Claims Tribunal, (Chief Judicial Magistrate), Sivagangai.

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PRAYER IN CMA(MD)SRNo.64681/2019:
To set aside the fair and decreetal order dated 20.03.2017 made in MCOP No.144 of 2016 on the file of Motor Accident Claims Tribunal, (Chief Judicial Magistrate), Sivagangai and allow this Civil Miscellaneous Appeal.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.S.SRINIVASA RAGHAVAN, Advocate for the petitioner in both the Petitions and of the Respondent Nos.1 to 3 & 5 in CMP(MD)NO.11361/2019 and the Respondent Nos.1 and 2 in CMP(MD)NO.11362/2019 not appeared either in person or by an Advocate, the Court made the following order:-

These petitions have been filed by the petitioner seeking to condone the delay of 824 and 720 days in filing the above Civil Miscellaneous Appeals.

2.The above delay is said to have on the part of the petitioner. Considering the reasons stated in the affidavit filed in support of the petitions and also considering the length of delay, this Court is inclined to condone the delay subject to the payment of cost of Rs.3000/- (Rupees three thousand only) each to the Legal Aid Service Authority, attached to this Bench, within a period of two weeks from the date of receipt of copy of this order, failing which, the petitions shall stand dismissed automatically without any further reference to this Court.

3.These petitions are accordingly ordered.

4. In the event of payment of cost, the Registry is directed to number the appeals, if it is otherwise in order and list the same "for admission" .

sd/-
29/01/2021

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/ /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.

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TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
SIVAGANGAI.

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

ORDER
IN
CMP(MD) Nos.11361 and 11362 of 2019
AND
CMA(MD)SR Nos.64687 and 64681 of 2019
Date :29/01/2021

msa
PK/JC/SAR-III/03.02.2021 : 3P/3C

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