



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

Friday, the Nineteenth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.9833 of 2019
in
C.M.A(MD)SR.No.1343 of 2014

1 MINOR.SATHIYARAJ
2 MINOR PRIYADHARSHINI ... PETITIONERS/ APPELLANTS
(Minor Appellants through their
maternal uncle and guardian Seetharaman)
-Vs-

1 HDFC ERGO GENERAL INSURANCE COMPANY LTD.,
6TH FLOOR, LEELA BUSINESS PARK,
ANDHERI-KURLA ROAD, ANDHERI EAST,
MUMBAI - 400 059.
THROUGH ITS BRANCH MANAGER.

2 VENKADASAMY ... RESPONDENTS/ RESPONDENTS

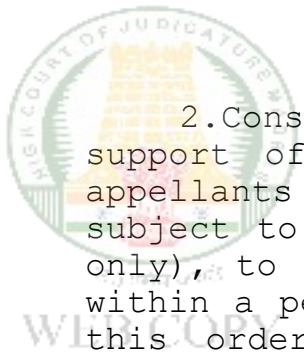
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 2103 days in re-presentation of the above Civil Miscellaneous Appeal against the judgment and decree made in M.C.O.P.No.928 of 2009 on the file of the II Additional District Court(Motor Accident Claims Tribunal Authority), Tirunelveli.

PRAYER IN C.M.A(MD)SR.No.1343 of 2014:

To call for the records relating to the judgment and decree dated 02.04.2013 in M.C.O.P.No.928 of 2009 on the file of the learned II Additional District and Sessions Judge, Tirunelveli and to set aside the same, consequently pass a decree awarding compensation to the appellants and allow Civil Miscellaneous Appeal.

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.V.SASIKUMAR, Advocate for the petitioners and of Mr.J.S.MURALI, Advocate for the 1st Respondent and 2nd Respondent not appearing either in person or by an advocate, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 2103 days in representing the above Civil Miscellaneous Appeal.



2.Considering the reasons stated in the affidavit filed in support of the petition and also considering the fact that the appellants are minors, this Court is inclined to condone the delay subject to the payment of cost of Rs.5,000/- (Rupees Five Thousand only), to the Legal Aid Service Authority, 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. This petition is ordered, accordingly.

3.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/-
19/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE II ADDITIONAL DISTRICT JUDGE
(MOTOR ACCIDENT CLAIMS TRIBUNAL AUTHORITY),
TIRUNELVELI.

2 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUNELVELI.

COPY TO:

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

+1CC TO Mr.V.SASIKUMAR, Advocate, SR NO.1309

+1CC TO Mr.J.S.MURALI, Advocate, SR NO.1273

ORDER
IN
CMP(MD) No.9833 of 2019 in
C.M.A(MD)SR.No.1343 of 2014
Date :19/02/2021

GNS

MS/VR/SAR-1/10.03.2021/2P.6C