



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

Tuesday, the Second day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.11082 of 2018

in

C.M.A(MD) SR.No.39929 of 2018

THE BRANCH MANAGER,
NATIONAL INSURANCE CO. LTD,
KALAI GNAR MALIGAI,
BUILDING COMPLEX,
SUB COLLECTOR OFFICE ROAD,
DINDIGUL TOWN.

... PETITIONER/APELLANT

(APPELLANT WAS 3rd RESPONDENT IN MCOP No.1 OF 2012
AS PER ORDER DATED 27.03.2017 IN IA NO.1164 OF 2016)

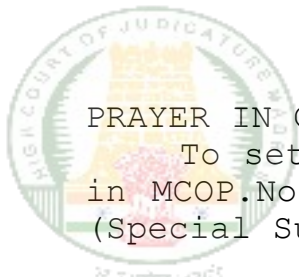
Vs

1 P.NISHANTHI
(1st RESPONDENT HEREIN WHO WAS THE MINOR
PETITIONER IN MCOP No. 1 OF 2012 WAS DECLARED
MAJOR AS PER ORDER DATED 07.11.2016 IN I.A.NO.415/2016
AND HER NAME WAS CHANGED AS P.NISHANTHI FROM SHANTHI
AS PER ORDER DATED 24.11.2016 IN IA.NO.640/2016)

2 R.CHANDRAN

3 THE BRANCH MANAGER,
UNITED INDIA INSURANCE CO LTD,
NO.49-50, EAST CAR STREET,
DINDIGUL TOWN.
(THE 3rd RESPONDENT HEREIN WAS EXONERATED AS PER THE
ORDER DATED 14.06.2010) ... 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 70 days in filing the above appeal against the fair and decreetal order dated 28.02.2018 made in MCOP No.1 of 2012, on the file of Motor Accident Claims Tribunal (Special Sub Court), Dindigul.



PRAYER IN C.M.A(MD) SR.No.39929 of 2018:

To set aside the fair and decreetal order dated 28.02.2018 made in MCOP.No.1 of 2012 on the file of Motor Accident Claims Tribunal (Special Sub Court), Dindigul and allow this 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.S.SRINIVASA RAGHAVAN, Advocate for the petitioner and of Mr.G.GOMATHI SANKAR, Advocate on behalf of the 2nd Respondent, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 70 days in filing the above Civil Miscellaneous Appeal.

2. 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/-

02/02/2021

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

TO
THE SPECIAL SUBORDINATE JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL, DINDIGUL.

COPY TO: THE AUTHORISED OFFICER,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CMP(MD) No.11082 of 2018 IN
CMA(MD) No.SR39929 of 2018
Date :02/02/2021

pkn
AE/SMA/SAR-I (05/02/2021) 2P / 3C