



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) No.11464 of 2018

IN

CMA (MD) No.SR.48281 of 2018

C.MAYAKRISHNAN

... PETITIONER/APPELLANT

Vs

1 S.RAMESH BABU

2 THE NEW INDIA ASSURANCE COMPANY,
No.161/A, EAST VELI STREET,
MADURAI TOWN REPRESENTED THROUGH ITS BRANCH MANAGER.

3 KUBENDRAN,

4 IBCO TOKYO GENERAL INSURANCE COMPANY LTD.,
D.NO.88, BALAJI TOWER 1st FLOOR, THADIKOMBU ROAD,
DINDIGUL TOWN,
REP BY THROUGH ITS BRANCH MANAGER. ... 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 280 days in filing the C.M.A. SR.No.48281 of 2018.

PRAYER IN CMA(MD) No.SR.48281 of 2018:

To allow the Civil Miscellaneous Appeal and set aside the Fair and Decreetal order dated 14.11.2017 made in M.C.O.P.No.423 of 2014 on the file of the Special Sub Court (Motor Accidents Claim Tribunal) Madurai.

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 Ms.M.D.DEVISARAVANA PRIYA, Advocate for the petitioner and of the Respondents 1 to 3 not appeared either in person or by an Advocate and Mr.V.SAKTHIVEL, Advocate for the 4th Respondent, the Court made the following order:-



This petition has been filed by the petitioner seeking to condone the delay of 280 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.1000/- (Rupees thousand only) 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 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".

sd/-
29/01/2021

/ TRUE COPY /

/ /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.

TO

THE SPECIAL SUBORDINATE JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL, MADURAI.

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

ORDER
IN
CMP(MD) No.11464 of 2018
IN
CMA(MD) No.SR48281 of 2018
Date :29/01/2021

msa
AE/JC/SAR-II (03/02/2021) 2P / 3C

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