



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

Thursday, the Twenty First day of April Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMP(MD) No.577 of 2021
IN
CMA(MD) SR.No.3133 of 2021

1 VALLI
2 R.SATHESH KUMAR
3 R.PRAKASH

... PETITIONERS/APPELLANTS

Vs

1 V.GEETHA
2 THE BRANCH MANAGER
CHOLAMANDALAM M.S.GENERAL INSURANCE COMPANY LTD.,
D.NO.3 AND 4, DINDIGUL HIGH ROAD, 1ST FLOOR,
KEELAVASAL, NEAR ENT HOSPITAL, MADURA,
MADURAI DISTRI

3 K.THIYAGARAJAN

4 THE BRANCH MANAGER
NATIONAL INSURANCE COMPANY LTD.,
TSR BIG STREET, KUMBAKONAM BRANCH,
KUMBAKONAM,
THANAJVURDISTRICT

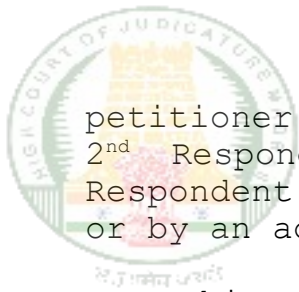
... RESPONDENTS/RESPONDENTS

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 317 days in filing the present Civil Miscellaneous Appeal as Against the judgement and Decree and award dated 3.10.2019 passed in MCOP. No.196/2014 on the file of Motor Accident Claims Tribunal / Chief Judicial Magistrate, Thanjavur at Kumbakonam, Thanajvur District.

PRAYER IN CMA(MD) SR.No.3133 of 2021:

Pleased to Enhance the Award amount of Rs.15,05,000/- as passed by the Tribunal in M.C.O.P.No.196 of 2014, dated 03.10.2019, on the file of Motor Accident Claims Tribunal / Chief Judicial Magistrate, Thanjavur at Kumbakonam, Thanjavur District to a sum of Rs.25,00,000/-, and allow the present C.M.A.

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 M/S.K.VEILMUTHU, Advocate for the



petitioner and of M/s.K.R.SHIVA SHANKARI, Advocate on behalf of the 2nd Respondent and Mr.N.S.RAMAKRISHNADASS, Advocate for the 4th Respondent and not appeared for the 3rd Respondent either in person or by an advocate, the court made the following order:-

This petition is filed seeking to condone the delay of 317 days in filing the above Civil Miscellaneous Appeal.

2.Heard the learned counsel for the petitioners, second respondent Insurance Company as well as fourth respondent Insurance Company and perused the materials placed before this Court.

3.For the reasons stated in the accompanying affidavit and on being satisfied with the same and considering the huge delay in filing the above appeal, this petition is allowed and the delay of 317 days in filing the above appeal is condoned, however, on condition that the petitioners pay a sum of Rs.500/- (Rupees five hundred only) each to the learned counsel for the second respondent Insurance Company as well as the learned counsel for the fourth respondent Insurance Company, towards costs, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand automatically dismissed without further reference to this Court.

4.Office to number the appeal, if it is otherwise in order and list it for admission in the usual course. Further, the claimants are not entitled for any interest for the delay period of 317 days in filing the above appeal before this Court.

5.For reporting compliance, post the matter on 13.06.2022.

sd/-
21/04/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE CHIEF JUDICIAL MAGISTRATE
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR DISTRICT AT KUMBAKONAM, THANJAVUR.

+1. C.C. to M/S.A.THIRUVADIKUMAR, Advocate SR.No.3733

ORDER IN
CMP(MD) No.577 of 2021
IN
CMA(MD) SR.No.3133 of 2021
Date :21/04/2022