



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

Thursday, the Seventeenth day of February Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMP (MD) No.1052 of 2022
in
C.M.A (MD) SR.No.51744 of 2018

1 CHANDRASEKAR
2 PICHAIMANI
3 ARUNKUMAR
4 GURUMOORTHY
5 GNANADEVI
(4th and 5th Minor Appellants
rep.by thro' their father/
natural guardian i.e., 1st Petitioner)

... PETITIONERS/ PETITIONERS/
APPELLANTS

Vs

1 S.RAJENDRAN

2 THE BRANCH MANAGER
SRI RAM GENERAL INSURANCE COMPANY LTD
CHINNA CHOKKIKULAM,
MADURAI 625 002.

... RESPONDENTS/ RESPONDENTS/
RESPONDENTS

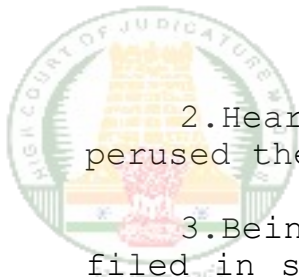
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to CONDONE THE DELAY of 926 days in filing the petition to restore C.M.P. (MD) No.4940 of 2019 in C.M.A.(MD) SR.No.51744 of 2018 and thus render justice.

PRAYER IN C.M.A(MD) SR.No.51744 of 2018:

To allow the Appeal by modifying the judgment and decree of the Motor Accidents Claims Tribunal, Special District Judge, Madurai in MCOP No.328 of 2015 dated 17.04.2018 by ordering the 2nd respondent to pay the compensation amount to the Appellants and recover the same from the 1st Respondent.

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.C.GANESH KUMAR, Advocate for the petitioners, the court made the following order:-

This Petition is filed seeking to condone the delay of 926 days in filing the petition to restore CMP(MD) No.4940 of 2019 in CMA(MD) SR.No.51744 of 2018.



2.Heard the learned counsel appearing on either side. and perused the materials placed before this Court.

3.Being satisfied with the reasons stated in the affidavit filed in support of this petition, the delay of 926 days in filing the petition to restore CMP(MD) No.4940 of 2019 in CMA(MD) SR.No.51744 of 2018 is condoned, on condition that the petitioners shall pay a sum Rs.500/-(Rupees Five Hundred Only) to the learned counsel for the second 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.Post the matter after two weeks.

sd/-

17/02/2022

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/ /2022

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

TO
THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
MADURAI.

ORDER

IN

CMP(MD) No.1052 of 2022 in
C.M.A(MD)SR.No.51744 of 2018
Date :17/02/2022

VRN

MS/JM/SAR-4/24.02.2022/2P.2C