



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.7203 of 2020
in
CMA (MD) SR.NO.48216 of 2020

V.SIVANAMMAL

... PETITIONER/APELLANT

Vs

1 K.CHINNAKKANNU

2 M/S.IFCO TOKIYO GENERAL INSURANCE CO.LTD.
NO.82, PREETHAM PLASA GROUND FLOOR & 1st FLOOR,
SANTHIRAKANTHI NAGAR,
PONMENI, MADURAI -16.

3 S.MAHENDRAN, ... RESPONDENTS/RESPONDENTS
(3RD RESPONDENT REMAINED EXPARTE
BEFORE THE TRIBUNAL.HENCE NOTICE TO
THE 3RD RESPONDENT MAY BE DISPENSED
WITH)

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 1302 days in filing this appeal.

PRAYER IN CMA(MD) SR.NO.48216 of 2020:

pleased to set aside the award in respect of liability and to enhance the compensation amount in M.C.O.P.No.1089 of 2014 on the file of MACT/Special sub Judge, 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 MR.K.KUMARAVEL, Advocate for the petitioner and of MR.V.SAKTHIVEL, Advocate on behalf of the 2nd Respondent, not appeared for the 1st and 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 1302 days in filing the above Civil Miscellaneous Appeal.

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 1302 days in filing the above Civil Miscellaneous Appeal is condoned, on condition that the petitioner shall pay a sum Rs.1,000/- (Rupees One Thousand 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. Office to number the appeal, if it is otherwise in order and list it for admission in the usual course. Further, it is made clear that the claimant is not entitled for any interest for the delay period of 1302 days in filing the above appeal before this Court.

sd/-
17/02/2022

/ TRUE COPY /

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

TO

THE SPECIAL SUB JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
MADURAI.

ORDER
IN
CMP (MD) No.7203 of 2020
in
CMA (MD) SR.NO.48216 of 2020
Date :17/02/2022

vrn
PKP/VR/SAR-1/22.02.2022/2P/2C