



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

Tuesday, the Fifteenth day of February Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMP (MD) No.6811 of 2020
in
CMA (MD) SR.NO.49195 of 2020

1 PETCHIAMMAL

2 MINOR. JOSIBALA,
(MINOR 2ND APPELLANT THROUGH HER MOTHER
AND NEXT FRIEND THE PETCHIAMMAL) ... PETITIONERS/APPELLANTS

Vs

1 M/S.SICAL LOGISTICS LTD.,
CHENNAI, THROUGH ITS PRESIDENT,
HAVING OFFICE AT NUMBER 88 MOUNT ROAD,
GUINDY, CHENNAI - 600 032.

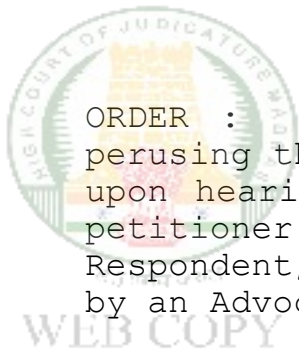
2 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LTD.,
NO.70 NSC BOSE ROAD,
THIRD FLOOR, SOWACARPET,
CHENNAI - 600 079.

3 JEYARAJ,
(THE 1ST RESPONDENT EXPARTE
BEFORE THE TRIAL COURT, HENCE
NOTICE MAY BE DISPENSED WITH) ... 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 1296 days in filling the above Civil Miscellaneous Appeal in C.M.A.(MD).S.R.No.49195 of 2020.

PRAYER IN CMA(MD) SR.No.49195 of 2020:

Pleased to allow this appeal and enhance the award amount in MCOP No.852 of 2013 on the file of the Motor Accident Claims Tribunal, (II Additional District Court (PCR)) Tirunelveli, dated 23.05.2016.



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.T.SELVAKUMARAN, Advocate for the petitioner and of MR.B.RAJESH SARAVANAN, Advocate on behalf of the 2nd Respondent, not appeared for the 2nd Respondent either in person or by an Advocate, the court made the following order:-

This Petition is filed seeking to condone the delay of 1296 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.M.C.O.P was filed by the claim petitioner seeking enhancement of the award amount.The learned counsel for the appellant/Insurance Company has stated that the award amount has already been deposited and Full Satisfaction Memo was filed.

4.For the reasons started 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 1296 days in filing the above appeal is condoned, however, on condition that the Petitioner pays a sum of Rs.2,000/- (Rupees two thousand only) towards costs to the learned counsel for the Insurance Company within a period of six 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.

5.Office to number the appeal, it it is otherwise in order and list it for admission in the usual course. Registry is directed to print the name of the learned counsel for the appellant/Insurance Company in the cause-list. Further, the claimants are not entitled for any interest for the delay period of 1296 days in filing the above appeal before this Court.

sd/-
15/02/2022

/ TRUE COPY /

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

vsn

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



TO

THE II ADDITIONAL DISTRICT JUDGE (PCR) ,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI .

WEB COPY

ORDER

IN

CMP (MD) No.6811 of 2020

in

CMA (MD) SR.No.49195 of 2020

Date :15/02/2022

PKP/JM/SAR-3/21.02.2022/3P/2C