



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

Thursday, the Twenty Second day of December Two Thousand Twenty Two

PRESENT

The Hon'ble Mrs. Justice N.MALA

CMP(MD) No.9343 of 2022

1 MINOR. DIWAN MOHAMED,
THROUGH HIS GRANDFATHER AND NEXT GUARDIAN
MOHAMMED ABUBACKER, S/O. SULTAN SALHAHUDIN,
NO.3-A/1, BANGALOW STREET, PETTAI,
TIRUNELVELI. (MINOR PETITIO

... PETITIONER(S)

Vs

1 SANKARASUBRAMANIAN,
S/O. MUTHUKARUPPAN, NO.34/1, NABIGALNAYAGAM
STREET, TIRUNELVELI TOWN.

2 IFFCO-TOKIO GENERAL INSURANC
E COMPANY LIMITED,, THROUGH ITS BRANCH
MANAGER, NO. 885/1-A, V.V. COMPLEX, NORTH
BYE PASS ROAD, VANNARAPETTAI, TIRUNELVELI.

... RESPONDENT(S)

ORDER : The Court Made the following order :-

Mr.V.Sakthivel, learned counsel, takes notice for the second respondent/Insurance company, who is the contesting respondent in the appeal. This is an appeal by the claimant for enhancement of compensation. The learned counsel for the petitioner has made an endorsement that he is giving up the first respondent, who is the owner of the vehicle in both appeal as well as the main case.

2.The learned counsel for the second respondent submits that the delay may be condoned subject to the condition that the claimant waives the interest for the delay period of 3047 days being the period between 02.10.2013 and 04.02.2022.

3.The learned counsel for the petitioner submits that the petitioner is prepared to waive the interest for the said period from 02.10.2013 and 04.02.2022 being 3047 days.

4.Accordingly, the Petition is allowed and the delay is condoned, subject to the interest being waived off for the period of delay of 3047 days

Rmk

22/12/2022