



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

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

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.10586 of 2022
IN
CMA(MD) No.1316 of 2009

1 CHELLAMMAL,

2 A.VELPANDI,

3 A.IRULAPPAN,

4 A.MURUGESWARI,

5 A.DEVI,

6 MINOR.KANNAN,

7 MINOR.JOTHI MALAR,

...PETITIONERS/APPELLANTS

(THE PETITIONERS 6 AND 7 ARE
MINORS, REPRESENTED BY THEIR MOTHER AND
NATURAL GUARDIAN 1ST PETITIONER HEREIN)

Vs

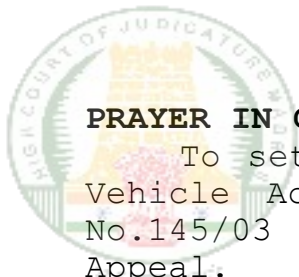
1 SEENIVASAN(DIED),

... 1st RESPONDENT

2 THE BRANCH MANAGER,
ROYAL SUNDARAM ALLIANCE
INSURANCE COMPANY LIMITED,
NO.46 WHITES ROAD,
CHENNAI - 600 011.

...2nd RESPONDENT/2nd RESPONDENT

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 421 of days in filing the petition to set aside the dismissal order passed as against 1st Respondent on 10/04/2019 passed by this Honble Court in CMA.No.1316/2019.

**PRAYER IN CMA(MD) No.1316 of 2009:**

To set aside the Fair and Decreetal order passed by the Motor Vehicle Accident Claims Tribunal/Sub-Court, Arupukottai in MACOP No.145/03 dated 01.03.2007 and allow this Civil Miscellaneous Appeal.

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.M.JOTHI BASU, Advocate for the petitioner and of MR.S.SRINIVASAN RAGHAVAN, Advocate on behalf of the Respondents the court made the following order:-

This petition is filed to condone the delay of 421 days in filing the petition to set aside the dismissal order passed as against the first respondent.

2. Though the reasons stated in the affidavit are not satisfactory, an opportunity for the petitioners has to be given in the interest of justice. Hence, this petition is allowed and the delay is condoned on condition that the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) to the Siddha Hospital attached to this Court, on or before 21.11..2022.

3. Call on 22.11.2022, "for reporting compliance".

sd/-

15/11/2022

/ TRUE COPY /

/11/2022

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

TO

THE SUBORDINATE JUDGE,
MOTOR VEHICLE ACCIDENT CLAIMS TRIBUNAL,
ARUPUKOTTAI

COPY TO

1 THE SECTION OFFICER,
JUDICIAL SECTIONS '
MADURAI BENCH OF MADRAS HIGH COURT,
MADRURAI.

2 THE SECTION OFFICER
ACCOUNTS SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



CMP(MD) N



22

3 THE OFFICER INCHARGE,
SIDDHA HOSPITAL
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

WEB COPY

ORDER
IN
CMP (MD) No.10586 of 2022
IN
CMA (MD) No.1316 of 2009
Date :15/11/2022

Ls
PKP/SSS/SAR-4/17.11.2022/3P/5C