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C.M.P.No.4366 of 2022 in
C.M.A.SR.19999 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on 02.03.2023	Pronounced on 17.04.2023
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CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.M.P.No.4366 of 2022
and
C.M.A.SR.No.19999 of 2022

Senthil@Senthil Kumar

...Petitioner

Vs.

1.Sudhagar

2. The Divisional Manager,
The Oriental Insurance Company Limited,
Hub 3rd Party Claims, Vijayalakshmi Complex,
First Floor, No.32/13, Phase No.2,
Sathuvachari, Vellore.

... Respondents

Prayer: Civil Miscellaneous Petition filed under Section 173(1) of Motor Vehicles Act, to condone the delay of 1479 days in filing the appeal.

For Appellant : Mr.A.G.F.Terry Chella Raja

For R1 : Exparte

For R2 : Mr.M.J.Vijaya Raaghavan



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ORDER

This petition is filed to condone the delay of 1479 days in filing the appeal against the judgment and decree dated 21.08.2017 made in M.C.O.P.No.302 of 2016 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Tiruvannamalai.

2. The claim petitioner is the injured person, who filed M.C.O.P.No.302 of 2016 claiming compensation for the injuries sustained in the road accident on 21.10.2015. By judgment dated 21.08.2017, a sum of Rs.9,45,472/- was awarded as compensation.

3. The second respondent–Insurance Company filed counter.

4. From the records, it is revealed that the compensation of Rs.9,45,472/- was deposited. Judgment was pronounced on 21.08.2017; copy application was filed on 22.08.2017; certified copy of judgment and decree delivered on 10.11.2017 and appeal was filed on 21.01.2022 with an inordinate delay of 5 years.



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5. On perusal of the affidavit, I do not find any sufficient cause, much less cause, to condone the delay, except the bald allegations and hence I am not inclined to allow this petition.

6. Accordingly, this Civil Miscellaneous Petition is dismissed. No costs. Consequently, the Civil Miscellaneous Appeal is rejected at the SR stage itself.

.....04.2023

nvi

Speaking Order:Yes/No

Neutral citation : Yes/No

To

1. The Motor Accident Claims Tribunal, Special Sub Court, Tiruvannamalai.
2. The Section Officer,
V.R.Section, High Court of Madras,
Madras.



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RMT.TEEKAA RAMAN,J.,

nvi

order in
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17.04.2023