



C.M.P.No.5125 of 2021
in C.M.A.SR.No.25590 of 2021

WEI SUNDER MOHAN,J.

This Application has been filed to condone the delay of 676 days in filing the above captioned C.M.A against the decree and judgment dated 15.11.2017 made in M.C.O.P.No.135 of 2012 on the file of the Motor Accident Claims Tribunal, Additional District Judge, Chief Judicial Magistrate, Namakkal.

2.Ms.R.Sree Vidhya, learned counsel appearing for the second respondent, submitted that he has no serious objections in allowing the above application.

3. Learned counsel for the petitioner submitted that the first respondent remained *ex-parte* before the Tribunal and therefore, requested this Court to dispense with the notice to the first respondent and had also made an endorsement to that effect in the Court bundle.

4. Though notice was served on the third and fourth respondents, none had entered appearance on their behalf before this Court.

5.Heard the learned counsel for the petitioner and the learned counsel for the second respondent.



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6.Considering the averments made in the affidavit filed in support of this application and also the fact that the second respondent has no serious objections in allowing the present petition, and being satisfied with the same, the delay is condoned. Hence, this application is ordered as prayed for.

7.Registry is directed to number the C.M.A., if it is otherwise in order and the list the same in due course. Registry is further directed to print the name of Ms.R.Sree Vidhya, learned counsel appearing for the second respondent at the time of admission.

25.08.2023

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