



C.M.P.No.17785 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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|                           |                             |
|---------------------------|-----------------------------|
| Reserved on<br>30.01.2023 | Pronounced on<br>17.02.2023 |
|---------------------------|-----------------------------|

CORAM

**THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN**

**C.M.P.No.17785 of 2021**  
**in**  
**C.M.A.No.sr88267 of 2021**

Murali,  
S/o.Muralikrishnan,  
Karudacharipalayam,  
Kaveri Nagar, Mahadevapuram,  
Bangalore, Now residing at  
Gurubarapalli Village and Post,  
Krishnagiri Taluk and District.

... Petitioner

Vs.

1.S.Ranjitha,  
W/o.Seenivasan,  
No.7, Chennai Road,  
Vidhya Nagar, Ammapettai,  
Salem.

2.The Branch Manager,  
Royal Sundaram Alliance Insurance Co. Ltd.,  
Branch Office,  
No.2, 2nd Floor,  
Nungambakkam,  
Chennai 600 006.

... Respondents



C.M.P.No.17785 of 2021

**Prayer:** Petition filed under Section 173 (1) of Motor Vehicles Act, 1988 to condone the delay of 1254 days in filing the Civil Miscellaneous Appeal.

For Petitioner : Mr.Mukund R.Pandiyan

For Respondents : Mr.M.Krishnamoorthy (for R2)

### **ORDER**

This Petition has been filed to condone the delay of 1254 days in filing the Civil Miscellaneous Appeal.

2.Counter affidavit of the 2nd Respondent has been filed. Heard the learned counsel for the Petitioner and the learned counsel for the 2nd Respondent and perused the available records.

3.The claim Petitioner filed MCOP.No.3393 of 2013 on the file of Special Sub Judge, Krishnagiri, claiming compensation for the injuries sustained by him in a road traffic accident, occurred on 19.03.2012. After trial, by order dated 27.06.2016, the Tribunal awarded a sum of Rs.3,49,300/-. On 06.09.2017, the Insurance Company deposited a sum of Rs.4,80,866/- before the Tribunal and the same was withdrawn by the claim Petitioner in the year



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2017, itself. After five years, the claim Petitioner filed an Appeal for enhancement of compensation with the present Petition for condoning the delay in filing the above Appeal.

4.The reason assigned in the affidavit does not disclose any sufficient cause for the delay. In the absence of any sufficient cause being demonstrated, I am not inclined to entertain this Petition.

5.Accordingly, this Petition is dismissed. Consequently, main Appeal in CMA.No.sr88267 of 2021 is rejected.

**17.02.2023**

Index : Yes/No  
Neutral Citation : Yes/No  
Speaking Order/Non-Speaking Order

*sai*

To  
The Special Sub Judge,  
Krishnagiri



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*C.M.P.No.17785 of 2021*

**RMT.TEEKAA RAMAN.J,**

*sai*

**Pre-delivery Order made in**

**C.M.P.No.17785 of 2021**

**in**

**C.M.A.No.sr88267 of 2021**

**Dated: 17.02.2023**