



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

Wednesday, the Twenty Ninth day of March Two Thousand and
Twenty Three

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PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.3781 of 2023

IN

CMA(MD)SR.No.10802 of 2023

THE MANAGING DIRECTOR
TNSTC (KUMBAKONAM DIVISION),
KARAIKUDI.

... PETITIONER/APELLANT

Vs

M.USHARANI

... RESPONDENT/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 265 days in preferring the civil miscellaneous appeal against the decree and judgment 29-11-2021 in M.C.O.P.No.43 of 2017 on the file of MACT (Chief Judicial Magistrate), Pudukottai.

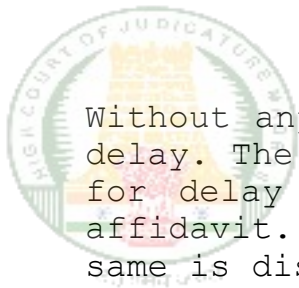
PRAYER IN CMA(MD)SR.No.10802 of 2023:

Pleased to set aside the Decree and Judgment passed in MCOP.No.43 of 2017 dated 29.11.2021 on the file of MACT, (Chief Judicial Magistrate), Pudukottai and direct the corporation to pay a compensation Rs.6,12,359 with interest 7.5% from the date of petition 09.02.2017 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 M/S.A.FEROZ KHAN, Advocate for the petitioner, the court made the following order:-

This petition has been filed to condone the delay of 265 days in preferring the appeal in C.M.A.(MD).SR.No.10802 of 2023.

2. On perusal of the affidavit, it is seen that there is no acceptable reasons except stating that there is a delay of 265 days in preferring the appeal and not even specific reasons for such huge delay. The appellant being the Transport Corporation should be prompt in filing an appeal and prosecuting the legal proceedings.



CMP(MD)



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Without any pleadings, the appellant cannot seek for condonation of delay. The duration of delay is not the matter, but reasonable cause for delay must be pleaded, which is found missing in the entire affidavit. Hence, I do not find any merit in this petition and the same is dismissed.

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sd/-

29/03/2023

/ TRUE COPY /

/04/2023

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

AKV

TO

THE CHIEF JUDICIAL MAGISTRATE
MOTOR ACCIDENT CLAIMS TRIBUNAL,
PUDUKOTTAI.

COPY TO:

THE SUB ASSISTANT REGISTRAR
A.E. SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP (MD) No.3781 of 2023

IN

CMA (MD) SR.No.10802 of 2023

Date :29/03/2023

SA/CG/SAR.4/03.04.2023/2P/3C