



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

Wednesday, the Nineteenth day of April Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.4903 of 2023
IN
CMA(MD) SR.No.26048 of 2023

HEMALATHA

... PETITIONER/APPELLANT

Vs

THE DIRECTOR
TAMIL NADU GOVERNMENT TRANSPORT CORPORATION,
REGION-1,
KUMBAKONAM.

... 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 2669 days in filing the above appeal before this Hon`ble Court and thus render justice.

PRAYER IN CMA(MD) SR.No.26048 of 2023:

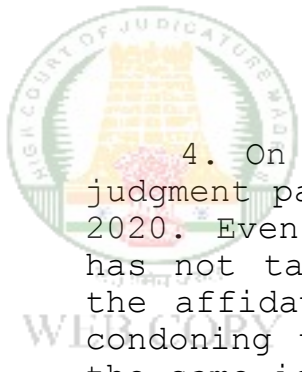
To set aside the Judgement and Decree dated on 18.09.2015 passed in M.C.O.P.No.149/2011 on the file of the Motor Accidental Claims Tribunal Cum III Additional Sessions Court, Tanjore at Pattukottai.

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.P.ROHINI, Advocate for the petitioner, the court made the following order:-

This petition has been filed to condone the delay of 2669 days in filing the Civil Miscellaneous Appeal in C.M.A.(MD).SR.No.26048 of 2023.

2. Heard the learned counsel appearing for the petitioner.

3. The reason assigned in the affidavit is that she could not raise funds immediately for filing an appeal before this Court and due to spread of COVID-19, she suffered a lot and hence, there is a delay of 2669 days occurred in filing the appeal.



4. On perusal of the affidavit, it is seen that the decree and judgment passed on 18.09.2015 and COVID - 19 spread only in the year 2020. Even before that, for a period of four years the petitioner has not taken any steps to file an appeal. The reason assigned in the affidavit is vague and there must be a justifiable reason for condoning the delay. Hence, there is no merit in this petition and the same is dismissed.

sd/-
19/04/2023

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/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AKV

TO

The Motor Accidental Claims Tribunal Cum
III Additional Sessions Court,
Tanjore at Pattukottai.

+1. C.C. to M/S.P.ROHINI Advocate SR.No.22275 (F)

ORDER
IN
CMP (MD) No.4903 of 2023
IN
CMA (MD) SR No.26048 of 2023
Date :19/04/2023

NA/CG/SAR-3/26.04.2023/2P/3C