



C.M.P.(MD).No.10951 of 2023

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

Wednesday, the Sixth day of December Two Thousand and Twenty Three
PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

C.M.P.(MD).No.10951 of 2023

in

CROS.OBJ(MD)SR.No.62705 of 2023

1 A.VASANTHI

2 A. YOGALAKSHMI

3 A. VAIJEYENTHI,

... PETITIONERS/ APPELLANTS/
CROSS OBJECTORS

Vs

1 UNITED INDIA INSURANCE COMPANY LIMITED,,
BY ITS DIVISIONAL MANAGER,
WEST VELI STREET,
MADURAI - 625 001.

...RESPONDENT/ APPELLANT/
RESPONDENT

2 TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LIMITED,,
BY ITS MANAGING DIRECTOR,
MADURAI - 625 010.

...RESPONDENT/RESPONDENT/
RESPONDENT

3 V. MANIVASAGAM,

... RESPONDENT/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 523 days in preferring the Cross Objection in C.M.A.(MD). No. 119/2020 and pass such other or further order as this Court may deem fit and proper in the circumstances of the case and thus render justice.



C.M.P.(MD).No.10951 of 2023

PRAYER IN CROS.OBJ(MD)SR.No.62705 of 2023:

Pleaded to enhance the award amount as just compensation, along with the interest at 18 % per annum from the date of main petition to till the date of deposit with cost and thus render justice.

Prayer in CMA(MD). 119/ 2020 :

To Allow this memorandum of CMA and thereby set aside fair ad decreetal order dated 20.8.2019 made in MCOP.No.368 of 2009 on the file of the Motor Accident Claims Tribunal District and sessions Communal Clash Court Madurai.

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.K.MURUGESAN, Advocate for the petitioners and of MR.B.RAJESH SARAVANAN, Advocate on behalf of the Respondent No.1 and MR.K.SUDALAYANDI, Advocate for the Respondent No.4, the court made the following order:-

This petition is filed to condone the delay of 523 days in preferring the Cross Objection in C.M.A.(MD)No.119 of 2020.

2. Heard both sides.

3. Mr.Rajesh Saravanan, the learned Counsel appearing for the 1st respondent has submitted that the delay of 523 days is not correct. There is a delay of more than 5 years. Per contra, Mr.K.Murugesan, the learned Counsel appearing for petitioner has submitted that the Registry has excluded the Corona period and calculated the delay as 523 days.



C.M.P.(MD).No.10951 of 2023

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4. In view of the said submissions made by both the parties, it is hereby directed the claimants are entitled the interest to the award for the delay of 523 days including Corona period.

5. Being satisfied with the reasons stated in the accompanying affidavit, this petition is allowed on payment of Rs.1,000/- (Rupees One Thousand only) to the first respondent, failing which, this petition stands automatically dismissed, without further reference to this Court.

sd/-

06/12/2023

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/12/2023

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

sml

TO

1.THE MOTOR ACCIDENT CLAIMS TRIBUNAL DISTRICT
AND SESSIONS COMMUNAL CLASH COURT
MADURAI.

2 THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,,
WEST VELI STREET, MADURAI - 625 001.

3 THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LIMITED,,
MADURAI - 625 010.



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ORDER

IN

C.M.P.(MD).No.10951 of 2023

in

CROS.OBJ(MD)SR.No.62705 of 2023

Date :06/12/2023

RK/DD (14/12/2023) 4P / 4C

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