



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

Friday, the Seventh day of September Two Thousand Eighteen

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PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP (MD) No.2103 of 2016

IN

CMA (MD) No.SR21951 of 2015

1 MUTHULAKSHMI
2 MINOR SINDHU
3 MINOR MUTHUKRISHNAN
4 MINOR MADHAVI

MATHOOMMAL (DIED)

5 ARUMUGAM NAIDU

... PETITIONERS/APPELLANTS

(Minor appellants 2 to 4 rep.through
their mother and next guardian 1st
appellant herein)

Vs

1 NARAYANAN

2 CHOLAMANDALAM MS GENERAL INSURANCE
COMPANY LIMITED,
THROUGH ITS BRANCH MANAGER,
DARE HOUSE, 2ND FLOOR, NO.2,
N.S.C.BOSE ROAD, CHENNAI - 600 001.

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court will be pleased
to condone the delay of 51 days in filing the CMA.(MD).
SR.No.21951/2015 and thus render justice.

PRAYER IN CMA(MD)No.SR21951/2015:

To allow this appeal and enhance the award amount in
M.C.O.P.No.1196 of 2013 on the file of the Motor Accident Claims
Tribunal, (3rd Additional District Cout), Tirunelveli dated
28.10.2014.

ORDER : This petition coming on for orders upon perusing the
petition and the affidavit filed in support thereof and upon hearing
the arguments of Mrs.D.SELVAKUMARI, Advocate for the petitioner and
of Mrs.SIVASANKARI, Advocate for MR.SRINIVASARAGHAVN, Advocate for



the 2nd Respondent and the 1st Respondent not appeared either in person or by an Advocate, the court made the following order:-

The petition has been filed to condone the delay of 51 days in filing the above Civil Miscellaneous Appeal.

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2. Heard the learned counsel for the petitioner. Though notice has been served on the first respondent and his name has been printed in the cause list, there is no representation for the first respondent. Mrs. Sivashankari, who has represented on behalf of Mr. Srinivasaraghavan, learned counsel, takes notice for the second respondent and submitted that she has no objection for allowing this application.

3. Considering the contention of the learned counsel on either side, the delay is condoned on payment of Rs.500/- (Rupees five hundred only) to Rojavanam, Home for Old Aged, Melur Road, Uthangudi-Ulaganeri, Madurai -625 107 within a period of one week from the date of receipt of a copy of this order, failing which, the petition shall stand dismissed automatically without further reference to this Court. On such payment, the Registry is directed to number the appeal, if the papers are otherwise in order and list the matter for admission on next week.

sd/-

07/09/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
III ADDITIONAL DISTRICT JUDGE, TIRUNELVELI

COPY TO : THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR OLD AGED, MELUR ROAD,
UTHANGUDI-ULAGANERI, MADURAI -625 107

ORDER

IN

CMP(MD) No.2103 of 2016

IN

CMA(MD) No.SR21951 of 2015

Date : 07/09/2018

PK/JC/SAR-2/24.09.2018 : 2P/3C