



C.M.P.(MD) No.7352 of 2024

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

Tuesday, the Sixteenth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE
and
The Hon`ble Mr.Justice P.VADAMALAI

C.M.P.(MD) No.7352 of 2024
in
C.M.A.(MD) SR No.29179 of 2024

THE BRANCH MANAGER
ICICI LOMBARD GENERAL INSURANCE COMPANY
LIMITED,
NO.11/1B, 3RD FLOOR,
G.V.COMPLEX,
BYE PASS ROAD,
MADURAI 10.

... PETITIONER/ APPELLANT

Vs

1 KALAYARASI

2 RAMAR
S/o.KUTHALINGA NADAR

3 RAMAR

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous 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 364 days in preferring the above Civil Miscellaneous Appeal and thus render justice.

<https://www.mhc.tn.gov.in/judis>



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PRAYER IN CMA(MD)SR.No.29179/2024:

Pleaded to call for the records pertaining to the Fair and Decretal Order passed by the Motor Accident Claims Tribunal / Additional District Court(FTC) in MCOP.No.137 of 2019 dated 15.11.2022, set aside the same by allowing the appeal.

ORDER : This Civil Miscellaneous 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 Mr.P.PETHU RAJESH, Advocate for the petitioner and of Mr.D.SRINIVASA RAGHAVAN, Advocate on behalf of the Respondents No.1 & 2, the court made the following order:-

Heard Mr.P.Pethu Rajesh, learned counsel for the petitioner and Mr.D.Srinivasa Raghavan, learned counsel for Respondents 1 and 2.

2. The third respondent is the driver of the alleged offending vehicle and the notice sent to him is returned with an endorsement 'refused'.

3. The Insurance Company of the offending vehicle challenges only the quantum of compensation awarded by the Tribunal.

4. Since the liability of the Insurance Company to pay the compensation is not in question, notice to the third respondent is dispensed with.

5. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the delay of 364 days in filing the appeal is condoned, on condition that the petitioner shall pay a sum of Rs.1,000/- (One Thousand Rupees only) to the credit of the District Siddha Medical Officer, CCRI PKM (Account No.10767823177, IFSC: SBIN0000898, State Bank of India, Periyakulam Branch) on or before 23.07.2024.



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6. Post the matter on 23.07.2024 under the caption 'for reporting compliance'.

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sd/-
16/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ABR
TO
THE ADDITIONAL DISTRICT JUDGE (FTC),
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TENKASI.

COPY TO:
THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI PKM,
PERIYAKULAM.

ORDER
IN
C.M.P.(MD) No.7352 of 2024
in
C.M.A.(MD) SR No.29179 of 2024
Date :16/07/2024

SA/JGB/SAR. /19.07.2024/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.