



C.M.P(MD)No.5918 of 2023

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

Thursday, the Seventeenth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

C.M.P(MD)No.5918 of 2023

in

C.M.A(MD)SR.No.32365 of 2023

UNITED INDIA INSURANCE COMPANY LIMITED,
THROUGH ITS DIVISIONAL MANAGER,
OFFICE AT NO.1, POST OFFICE ROAD,
PALAYAMKOTTAI

... PETITIONER/ APPELLANT

Vs

1 JASMINE

2 MINOR SUJA,

(MINOR 2nd RESPONDENT THROUGH HER
MOTHER AND NEXT GUARDIAN 1st RESPONDENT)
(HENCE, NOTICE IS NOT NECESSARY)

3 ANANDA KIRAGASTHAN,

(AMENDED AS PER ORDER IN
IA NO.645/18 DATED 16.02.2018)

4 KASTHURI,

5 ANTONY,

... RESPONDENTS/RESPONDENTS



C.M.P(MD)No.5918 of 2023

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 329 days in filing the above Civil Miscellaneous appeal and thus render justice.

PRAYER IN C.M.A(MD)SR.No.32365 of 2023:

Pleased to set aside the judgment and decree dated 07/02/22 passed in MCOP No.175 of 2017 on the file of the Motor Accident Claims Tribunal, Special Sub Judge, Tirunelveli.

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 M/S.G.PRABHU RAJADURAI, Advocate for the petitioner and of Mr.T.SELVAKUMARAN, Advocate on behalf of the Respondents No.1,2 & 4, the court made the following order:-

This petition is filed to condone the delay of 329 days in filing the appeal.

2.Though the respondents 3 and 5 are no more, the petitioner has not taken any steps to implead the legal heirs of the respondents 3 and 5. Hence, this petition is dismissed as against the respondents 3 and 5.

3.Heard the learned counsel for the petitioner and the respondents 1, 2 and 4.

4. This petition is allowed and the delay of 329 days in filing the appeal is condoned on condition that the petitioner shall pay a cost of Rs.500/- (Rupees Five Hundred Only) to the credit of the District Siddha Medical Officer CCRI PKM, A/c No 10767823177, IFSC Code : SBIN0000898, MICR CODE : 625002601, Branch: SBI Periyakulam, on or before 22.10.2024.



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5. On production of proof for payment, the Registry is directed to number the appeal, if it is otherwise in order and post for admission on 23.10.2024.

sd/-
17/10/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CM
TO
THE SPECIAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

COPY TO:
1 THE SUB ASSISTANT REGISTRAR,
A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3 THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI PKM,
PERIYAKULAM.

ORDER IN
C.M.P(MD)No.5918 of 2023
in
C.M.A(MD)SR.No.32365 of 2023
Date :17/10/2024

SA/MMS/SAR. /21.10.2024/3P/5C

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