



C.M.P.(MD)No.12131 of 2024

WEB COPY

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

Monday, the Fourteenth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

C.M.P.(MD)No.12131 of 2024

in

C.M.A.(MD) SR.No.36969 of 2024

THE BRANCH MANAGER
THE NEW INDIA ASSURANCE COMPANY LTD.,
D.NO.452, 1ST FLOOR, PPS COMPLEX,
PERIYAKULAM ROAD,
ALLINAGARAM, THENI DT.

... Petitioner / Appellant

Vs

1 ANDICHIAMMAL

2 PANDIAN

3 PANDIAYAMMAL

4 MUTHAYI

5 THAMARAI SELVAN

6 M.KAMATCHIAMMAL

7 P.OYYATHEVAR

8 VIGNESHWARAN

... Respondents/ Respondents



C.M.P.(MD)No.12131 of 2024

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 313 days in filing this appeal and thus render justice.

PRAYER IN C.M.A.(MD) SR No.36969 of 2024

To set aside the Award dated 06.03.2023 passed in MCOP No.32 of 2019 on the file of the Motor Accidents Claims Tribunal (Additional District and Sessions Court), Periyakulam.

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.ROBERT CHANDRA KUMAR I, Advocate for the petitioner and No Appearance for the R3 to R5, R7, R8, the Court made the following order:-

This petition is filed to condone the delay of 313 days in filing the above appeal in C.M.A.(MD)SR.No.36969 of 2024.

2.Though notice sent to the respondents 3 to 5, 7 and 8 has been served, none has entered appearance. Notice sent to the respondents 1, 2 and 6 has been returned with endorsement 'deceased', 'unclaimed' and 'left', respectively.

3. The learned counsel for the appellant has filed a memo stating that the respondents 2 to 5 are the legal heirs of the deceased first respondent. The memo is taken on record.

4. Heard the learned counsel for the petitioner/appellant.

5. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the delay of 313 days in filing the above appeal

in C.M.A.(MD)SR.No.36969 of 2024 is condoned on the payment of cost of Rs.500/-

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



C.M.P.(MD)No.12131 of 2024

to Siddha Centre, Madurai, Madurai Bench of Madras High Court, Madurai, operated by the Registrar (Administration) (Account No:-6865578213, IFSC Code:- IDIB000H040, Indian Bank, High Court Branch, Madurai), within a period of two weeks from the date of receipt of a copy of this order.

6. On production of proof, Registry is directed to number this appeal, if it is otherwise, in order and list the appeal for admission on 21.10.2024.

sd/-
14/10/2024

/ TRUE COPY /

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

APD

TO

1 The Judge,
Motor Accidents Claims Tribunal
(additional District and Sessions Court),
Periyakulam.

Copy To

1. The Registrar (Administration),
Madurai Bench of Madras High Court, Madurai.



C.M.P.(MD)No.12131 of 2024

2. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
C.M.P.(MD)No.12131 of 2024
in
C.M.A.(MD) SR.No.36969 of 2024
Date :14/10/2024

PSP/ JGB /SAR /16.10.2024/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified
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