



CMP(MD) No.7387 of 2022

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

Friday, the Fifteenth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MRS. JUSTICE R. KALAIMATHI

CMP(MD) No.7387 of 2022
in
CMA(MD) SR No.45360 of 2022

VIJU

... Petitioner / Appellant

Vs

1 JENISH

2 ANTONY DHAS

3 THE BRANCH MANAGER,
THE UNITED INDIA INSURANCE COMPANY LIMITED,
MONDAY MARKET,
NEYYOOR POST,
ERANIEL VILLAGE,
KALKULAM TALUK,
KANNYAKUMARI DISTRICT.

... 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 461 days for filing Civil Miscellaneous Appeal against the decree and judgment passed by Motor Accident Claims Tribunal, Sub Court, Padmanabhapuram in MCOP. No. 40 of 2016 dated 08.02.2019.



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Prayer in CMA(MD) SR No.45360 of 2022:

To enhance the award in MCOP No..40 of 2016 dated 08.02.2019 passed by Sub Court cum Motor Accident Claims Tribunal, Padmanathapuram and allow the civil miscellaneous 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 M/S.K.P.NARAYANAKUMAR, Advocate for the petitioner and of not appeared for Respondent Nos.1 and 2 in person or through by an Advocate and of Mr.A.S.MATHIYALAGAN, Advocate on behalf of the Respondent No.3, the Court made the following order:-

This petition is filed to condone the delay of 461 days for filing the Civil Miscellaneous Appeal against the judgment and decree passed by Motor Accident Claims Tribunal, Sub Court, Padmanabhapuram, in M.C.O.P.No.40 of 2016.

2. The learned Counsel appearing for the third respondent raises strong objection to allow this petition.

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

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed on the condition to pay costs of Rs.1,000/- (Rupees Thousand only) to the High Court Legal Services Committee attached to this Court,



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within a period of two weeks from today. Failing which, this petition shall

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automatically stand dismissed without reference to this Court.

sd/-

15/11/2024

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/11/2024

Sub-Assistant Registrar

(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

JBR

To

The Subordinate Judge,
Motor Accident Claims Tribunal,
Padmanabhapuram.

Copy to:

The Officer Incharge,
High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CMP(MD) No.7387 of 2022

in

CMA(MD) SR No.45360 of 2022

Date :15/11/2024

ED/ GSV /SAR- (22/11/2024) 3P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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