



CMP(MD) No.9996 of 2024

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

Wednesday, the Twenty Eighth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

CMP(MD) No.9996 of 2024
in
C.M.A.(MD) SR.No.51262 of 2024

THE SENIOR DIVISIONAL MANAGER
UNITED INDIA INSURANCE COMPANY LIMITED,
NO.236, GOOD SHED STREET,
MADURAI 625 001.

... PETITIONER/ APPELLANT

Vs

1 R.NIRAINILA

2 V.ARUMUGAM
(OWNER OF THE VEHICLE BEARING
REGISTRATION NO.TN 63 AL 5777)

... RESPONDENTS/RESPONDENTS

(NOTICE TO R2 IS DISPENSED WITH, AS
R2 WAS SET-EXPARTE BEFORE THE
TRIBUNAL, VIDE COURT ORDER DATED
31-07-2024 MADE in CMP(MD)
No.9996/2024 in CMA(MD)
No.SR.51262/2024)

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 542 days in filing the appeal against the order dated 19.09.2022 passed in MCOP No.228 of 2018 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Madurai.



CMP(MD) No.9996 of 2024

PRAYER in C.M.A.(MD) SR.No.51262 of 2024:

To set aside the order dated 19.09.2022 passed in M.C.O.P.No.228 of 2018 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Madurai.

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.I.SUTHAKARAN, Advocate for the petitioner and of none appeared either in person or through by an advocate on behalf of the 1st Respondent, the Court made the following order:-

This petition is filed to condone the delay of 542 days in filing the above appeal in C.M.A.(MD)SR.No.51262 of 2024.

2. Notice to the second respondent has been dispensed with by the order of this Court dated 31.07.2024 as the second respondent remained ex parte before the Tribunal. Though notice to the first respondent has been served, none has entered appearance.

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 and the delay of 542 days in filing the above appeal in C.M.A.(MD)SR.No.51262 of 2024 is condoned on the payment of cost of



CMP(MD) No.9996 of 2024

Rs.1,000/- 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.

5. On compliance of above condition, Registry is directed to number this appeal, if it is otherwise, in order and list the appeal for admission.

sd/-
28/08/2024

/ TRUE COPY /

/09/2024

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

APD
TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, MADURAI.

COPY TO:

1 THE OFFICER INCHARGE,
SIDDHA CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

2 THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



CMP(MD) No.9996 of 2024

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

ORDER
IN
CMP(MD) No.9996 of 2024
in
C.M.A.(MD) SR.No.51262 of 2024
Date :28/08/2024

SS/GS/SAR- /03/09/2024/4P/5C

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