



CMP(MD) No.11335 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Fifth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

C.M.P.(MD)Nos.11335, 11336 & 11339 of 2024

in

C.M.A.(MD) SR.Nos.55110, 55111 & 55113 of 2024

1 HAIRUNISHA

2 MOHAMED RAFEEL

... PETITIONERS/ APPELLANTS
IN CMP(MD).11335/2024

1 RAHMATH NISHA

2 RAJIS KHAN

... PETITIONERS/ APPELLANTS
IN CMP(MD).11336/2024

PADHIL RIYAS

... PETITIONER/ APPELLANT
IN CMP(MD).11339/2024

Vs

1 MOHAMED VASEEM

2 THE BRANCH MANAGER
NEW INDIA INSURANCE COMPANY LTD.,
NO.85-B, MARKET ROAD,
THANJAVUR TOWN,
THANJAVUR TALUK,
THANJAVUR DISTRICT.

... RESPONDENTS/RESPONDENTS
IN ALL CMP's



CMP(MD) No.11335 of 2024

Prayer in CMP(MD).11335/2024 :

To Condone the delay of 235 days in preferring the Appeal in C.M.A(MD) S.R.No.55110 of 2024 against the Judgment and Decree made in M.C.O.P.No.135 of 2018 on the file of the Motor Accident Claims Tribunal (III Additional District Judge), Thanjavur @ Pattukottai, dated 07.08.2023.

Prayer in CMA(MD) SR.No.55110/2024 :

To allow the Appeal by set aside the portion of judgment which exonerated the liability on the part of the Insurance Company and fixing liability on the part of the owner of the vehicle and fix the joint and several liability of the 2nd Respondent along with 1st Respondent in M.C.O.P.No.135 of 2018 on the file of the Motor Accident Claims Tribunal (III Additional District Judge), Thanjavur @ Pattukkottai dated 07.08.2023.

Prayer in CMP(MD). 11336/ 2024 :

To Condone the delay of 235 days in preferring the Appeal in C.M.A(MD) S.R.No.55111 of 2024 against the Judgment and Decree made in M.C.O.P.No.136 of 2018 on the file of the Motor Accident Claims Tribunal (III Additional District Judge), Thanjavur @ Pattukottai, dated 07.08.2023.

Prayer in CMA(MD) SR.No.55111/2024 :

To allow the Appeal by set aside the portion of judgment which exonerated the liability on the part of the Insurance Company and fixing liability on the part of the owner of the vehicle and fix the joint and several liability of the 2nd Respondent along with 1st Respondent in M.C.O.P.No.136 of 2018 on the file of the Motor Accident Claims Tribunal (III Additional District Judge), Thanjavur @ Pattukkottai dated 07.08.2023.

Prayer in CMP(MD). 11339/ 2024 :

To Condone the delay of 235 days in preferring the Appeal in C.M.A(MD) S.R.No.55113 of 2024 against the Judgment and Decree made in M.C.O.P.No.85 of 2021 on the file of the Motor Accident Claims Tribunal (III Additional District Judge), Thanjavur @ Pattukottai, dated 07.08.2023.

Prayer in CMA(MD) SR.No.55113/2024 :

To allow the Appeal by set aside the portion of judgment which exonerated the liability on the part of the Insurance Company and fixing liability on the part of the owner of the vehicle and fix the joint and several liability of the 2nd Respondent along



CMP(MD) No.11335 of 2024

with 1st Respondent in M.C.O.P.No.85 of 2021 on the file of the Motor Accident Claims Tribunal (III Additional District Judge), Thanjavur @ Pattukkottai dated 07.08.2023.

COMMON ORDER : These Civil Miscellaneous Petitions 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.S.DEENADHAYALAN, Advocate for the petitioner in all CMP's and of MR.B.ANANDAN, Advocate on behalf of the 1st Respondent and MR.C.DEEPAK, Advocate on behalf of the 2nd Respondent in all CMP's, the court made the following order:-

These petitions are filed to condone the delay of 235 days in preferring the above appeals.

2.Mr.B.Anandan, learned counsel takes notice for the first respondent and undertakes to file vakalat.

3.Mr.C.Deepak, learned counsel takes notice for the second respondent and undertakes to file vakalat.

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

5.Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the delay of 235 days in preferring the above appeals is condoned on the payment of cost of Rs.500/- each 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.

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



CMP(MD) No.11335 of 2024

6. Registry is directed to number this appeal, if it is otherwise in order and list the same for admission.

sd/-
25/09/2024

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/10/2024

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL /
III ADDITIONAL DISTRICT JUDGE,
THANJAVUR @ PATTUKOTTAI.

COPY TO

1 THE REGISTRAR (ADMINISTRATION),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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

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

4 THE SECTION OFFICER, ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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



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CMP(MD) No.11335 of 2024

ORDER

IN

C.M.P.(MD)Nos.11335, 11336 & 11339 of 2024

in

C.M.A.(MD) SR.Nos.55110, 55111 & 55113 of 2024

Date :25/09/2024

RS/VR/SAR-(01.10.2024) 5P 7C

Madurai Bench of Madras High Court is issuing
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