



C.M.P.(MD) No.13941 of 2024

WEB COPY 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

C.M.P.(MD) No.13941 of 2024  
in  
C.M.A.(MD)SR.No.65069 of 2024

KITHIR MOHAMMED

... PETITIONER/ APPELLANT

Vs

1 KOTTAIYAH

2 THE DIVISIONAL MANAGER

M/S.NEW INDIA ASSURANCE COMPANY LIMITED,  
NO.11,JEROME BUILDING,  
KOTTAI NILAYAM ROAD,  
TRICHY,  
OFFICE ADDRESS  
NO.87,M.G.ROAD,  
MUMBAI - 400 001

... RESPONDENTS/RESPONDENTS

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 163 days in filing the above civil miscellaneous appeal against the judgement and decree in M.C.O.P.No.566 of 2020 on the file of the Motor Accident Claim Tribunal / III Additional Sub Court, Tiruchirappalli dated 29-09-2023 and thus render justice.



**C.M.P.(MD) No.13941 of 2024**

**PRAYER IN C.M.A.(MD)SR.No.65069 of 2024:**

To set aside the judgment and decree dated 29.09.2023 in MCOP No.566 of 2020 on the file of the Motor Accident Claims Tribunal/III Additional Sub -Court, Tiruchirappalli and modify the judgment and decree and allow the above Civil Miscellaneous Appeal.

**ORDER :** This 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.N.SUDHAGAR NAGARAJ, Advocate for the petitioner, the court made the following order:-

This Petition is filed to condone the delay of 163 days in filing the above Civil Miscellaneous Appeal as against the judgment and decree passed in M.C.O.P.No.566 of 2020, dated 29.09.2023, on the file of the Motor Accidents Claims Tribunal/III Additional Sub-Court, Tiruchirappalli.

2.Heard the learned counsel appearing for the Petitioner and perused the materials placed before this Court.

3.Accepting the reasons stated in the accompanying affidavit filed in support of this Petition, this Petition is allowed on condition that the Petitioner/appellant pay costs of Rs.500/- (Rupees five hundred only) to the credit of the High Court Legal Services Committee attached to this Court within a period of two weeks from the



C.M.P.(MD) No.13941 of 2024

date of receipt of a copy of this order. Failing which, this petition shall stand  
dismissed automatically without further reference to this Court.

sd/-  
15/11/2024

/ TRUE COPY /

/11/2024

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

TO

THE MOTOR ACCIDENTS CLAIMS TRIBUNAL/  
III ADDITIONAL SUB-COURT, TIRUCHIRAPPALLI.

COPY TO

THE OFFICER IN CHARGE,  
HIGH COURT LEGAL SERVICES COMMITTEE,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN

C.M.P.(MD) No.13941 of 2024

in

C.M.A.(MD)SR.No.65069 of 2024

Date :15/11/2024

RK/VR (27/11/2024) 3P / 3C

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