



CMP(MD) No.12741 of 2023

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

Thursday, the Twenty Eighth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MRS. JUSTICE R. KALAIMATHI

CMP(MD) No.12741 of 2023
in
CMA(MD) SR No.65666 of 2023

1 NIRMALA

2 MINOR MAHENDRAN

3 MINOR SUBITHA

(Minor petitioners 2 & 3 through their
mother and next guardian, 1st petitioner
herein)

4 PETCHIAMMAL

5 NAINAR

... Petitioners / Appellants

Vs

1 MANIKANDAN

2 THE UNITED INDIA INSURANCE COMPANY LIMITED,,
THROUGH ITS BRANCH MANAGER,
OFFICE AT NO.21H/3,
ANNA NAGAR STREET,
VAISARAJAPURAM,
KALAKKADU,
TIRUNELVELI.

... Respondents / Respondents



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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 458 days in filing the above Civil Miscellaneous Appeal against the award dated 29.10.2021 made in MCOP No.602 of 2017 on the file of Motor Accident Claim Tribunal, Tirunelveli, Special Sub court Dealing with MCOP cases, Tirunelveli.

Prayer in CMA(MD) SR No.65666 of 2023:

To set aside the award dated 29.10.2021 made in M.C.O.P.No.602 of 2017 on the file of the Motor Accident Claims Tribunal, Tirunelveli, Special Sub-Court dealing with MCOP Cases, Tirunelveli in so far as fixing the liability on the 1st respondent herein and consequently, direct the 2nd respondent herein to pay the award amount.

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.V.SASIKUMAR, Advocate for the petitioners and of Mr.T.SUGADEV, Advocate on behalf of the Respondent No.1 and of Mr.A.MATHIYALAGAN, Advocate on behalf of the Respondent No.2, the Court made the following order:-

Heard both sides.

2.The learned counsel for the second respondent has no objection to allow the petition.

3.Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed on condition to pay costs of Rs.2,000/- (Rupees Two Thousand only) to the credit of Cancer Institute (WIA), Gandhi Nagar Canal Bank Road, Adyar, Chennai -20 (payable in A/c.No.149710011000002, Andra Bank, Madhya Kailash Branch, Cancer Institute (WIA) Campus, Sardar Patel Road,



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Chennai - 36, Branch Name and Code:1497, MICR No.600011049, IFSC

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Code:ANDB0001497), within a period of two weeks from today. Failing which, this petition shall stand dismissed automatically without any further reference to this Court.

sd/-
28/11/2024

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/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NS

To

The Special Subordinate Judge,
Dealing with MCOP Cases,
Motor Accident Claims Tribunal,
Tirunelveli.

Copy to:

The Officer Incharge,
Cancer Institute (WIA),
Gandhi Nagar,
Canal Bank Road,
Adyar, Chennai-20.



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ORDER

IN

CMP(MD) No.12741 of 2023

in

CMA(MD) SR No.65666 of 2023

Date :28/11/2024

ED/ /SAR- (29/11/2024) 4P / 3C

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