



C.M.P.(MD) No.14975 of 2024

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

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

PRESENT

The HONOURABLE MRS. JUSTICE R. KALAIMATHI

C.M.P.(MD) No.14975 of 2024
in
C.M.A.(MD)SR.No.74219 of 2024

THE BRANCH MANAGER
UNITED INDIA INSURANCE COMPANY LIMITED,
XAVIER BUILDING,
PWD ROAD, NAGERCOIL-1,
AGASTEESWARAM TALUK,
KANYAKUMARI DISTRICT

... PETITIONER/ APPELLANT

Vs

1 S.KUMARESAN

2 S.SIVARAJAN,

3 C.MOHAN,

4 THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION,
TIRUNELVELI DIVISION,
RANITHOTTAM,
NAGERCOIL, NAGERCOIL VILLAGE,
AGASTEESWARAM TALUK,
KANYAKUMARI DIST

... RESPONDENTS/RESPONDENTS



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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 204 days in filing this appeal and order to take the appeal on the file and pass such further or other orders as this Hon`ble court may deem fit and proper in the circumstances of the case and thus render justice

PRAYER IN C.M.A.(MD)SR.No.74219 of 2024:

To allow this appeal and set aside the judgment and decree dated 31.10.2023 made in MCOP No.30 of 2022 on the file of the MACT II Additional Sub Court, Nagercoil and allow this 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.A.S.MATHIALAGAN, Advocate for the petitioner and of MR.M.MURUGAN, Advocate on behalf of the Respondent No.1 and MR.C.T.PERUMAL, Advocate for the Respondents 2 & 3 and MR.MICHAEL HELDON KUMAR, Advocate for the 4th Respondent, the court made the following order:-

This Petition is filed to condone the delay of 204 days in filing the above Civil Miscellaneous Appeal and to take the appeal on file.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court. Mr.Michael Heldon Kumar, learned counsel takes notice for the fourth respondent and raise strong objections to allow the Petition.

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



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

sd/-
21/11/2024

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/11/2024

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

vsn

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL, II ADDITIONAL SUB COURT,
NAGERCOIL

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.14975 of 2024

in

C.M.A.(MD)SR.No.74219 of 2024

Date :21/11/2024

RK/VR(29/11/2024) 3P / 3C

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