



C.M.P(MD)No.11425 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

C.M.P(MD)No.11425 of 2022
and C.M.A(MD)SR.No.72043 of 2022

The Tamil Nadu State Transport
Corporation Limited,
Bye Pass Road,
Madurai – 625 010.

Through it's the Managing Director

Sabthaharshmee

... Appellant/Respondent

Vs.

... Respondent/Petitioner

PRAYER in C.M.P(MD)No.11425 of 2022: Civil Miscellaneous Petition is filed under Section 173(1) of Motor Vehicles Act, to condone the delay of 1626 days in filing the appeal against Judgment and Decree dated 09.12.2015 passed in M.C.O.P. No.743 of 2011 on the file of Motor Accident Claims Tribunal(IV Additional Sub Judge) Madurai.

PRAYER in C.M.A(MD)SR.No.72043 of 2022: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree in M.C.O.P. No.743 of 2011, dated 09.12.2015 on the file of the Motor Accident Claims Tribunal, (IV Additional Sub Judge), Madurai.

For Petitioner : Mr.K.Sudalaiyandi

ORDER

The civil miscellaneous petition is filed to condone the delay of 1626 days in preferring the appeal.



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2. The reason for the delay according to the petitioner is that after the award was passed by the Tribunal, a copy application was filed on 13.12.2019 and thereafter, the copy of the judgment and decree was obtained and the same were placed before the finance committee for approval for filing the present appeal. The reason for not applying for certified copy from 2015 to 2019 has not been explained. Further, though the copy of the judgment and decree was obtained on 18.12.2019, the appeal was filed in 2022. The cause shown in the affidavit for such an inordinate delay even after obtaining the copy of the judgment is vague. Since sufficient cause has not been shown for condoning the delay of 1626 days, this Court is not inclined to entertain this petition. Hence, the petition is dismissed. Consequent thereof, C.M.A(MD)SR.No.72043 of 2022 is also dismissed at SR stage itself.

Sd/-

Assistant Registrar (Records)

// True Copy //

/09/2024

Sub Assistant Registrar
(CS- I, II, III, IV)

CM



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The Motor Accident Claims Tribunal,
(IV Additional Sub Judge), Madurai.

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and CMA(MD)SR.No.72043 of 2022
20.08.2024

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RD(25.09.2024) 3P / 2C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.