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C.M.P. No. 9254 of 2025
in C.M.A.SR.No.19147 of 2025

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 218 days in filing the above Civil Miscellaneous Appeal against the award dated 23.04.2024 passed in M.C.O.P.No. 300 of 2019, on the file of Motor Accident Claims Tribunal, Addl. District Judge, Erode at Gobichettipalayam, Full Addl. Charge of IV Addl. District Judge, Erode at Bhavani.

2. Mr.C.Kulanthaivel, learned counsel for appellant submitted that due to the delay in obtaining relevant documents and also due to misplace of relevant appeal papers, the first appellant is not able to instruct counsel on record to prefer the above appeal and only during month of January 2025, she gave papers to him, as a result of which, there is a delay of 218 days in filing the above Civil Miscellaneous Appeal arose, which is neither willful nor wanton. Therefore, he filed this petition to condone the delay in filing the above Civil Miscellaneous Appeal.



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3. Mr.K.J.Sivakumar, learned counsel for 3rd respondent and Mr.J.Chandran, learned counsel for 6th respondent appeared and raised objections stating that the reason for the delay was not properly explained.

4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one, this court is inclined to allow this petition. Registry is directed to number the Civil Miscellaneous Appeal if it is otherwise found to be in order and to print the names of Mr.K.J.Sivakumar, learned counsel for 3rd respondent and Mr.J.Chandran, learned counsel for 6th respondent in the cause list. The interest for the delay period is ordered to be waived.

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