



CMP NO. 6161 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-04-2025**

CORAM

THE HONOURABLE MR JUSTICE S. SOUNTHAR

CMP NO. 6161 of 2025

in CMA.SR.No.36126 of 2025

N. Manoharan
S/o Nalla Gounder, A Coma person rep. by his
N/F, Father Nalla Gounder, S/o. Ramasamy,
previously res. at 139/8, Periya Alangkadu,
Vadungapalayam Post, Mallasamudram,
Tiruchengode Taluk, Namakkal District. Now,
res. at Palaniyappa Nagar, Sooramangalam,
Salem Taluk and District.

Appellant(s)

Vs

V.S.T Motors Limited
250/2, Meyyanur, Alagapuram Post, Salem Taluk
and District. and another

Respondent(s)

For Appellant(s):

Mr.C.Kulanthaivel

For Respondent(s):

M/s.S.Raghunathan for R1

M/s.J.Micheal Visuvasam for R2



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ORDER

Mr.J.Michael Visuvasam, the learned counsel takes notice for the second respondent.

2. Heard the learned counsel for the petitioner and the first respondent.

3. Learned counsel appearing for the first respondent vehemently opposed the condone delay petition on the ground that the petitioner has not given any reason to explain the cause for the delay in filing the Appeal.

4. In the affidavit filed in support of the condone delay petition, it is asserted by the petitioner that after the accident had taken place on 03.02.2011, the petitioner has been in the coma stage for almost fourteen



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years. The petitioner has been under continuous medical treatment for all these years and the claim petition itself was filed only through his next friend/guardian. In view of the ill-health of the petitioner, the guardian of the petitioner could not take effective steps to file the appeal immediately.

5. In view of the reasons stated in the affidavit filed in support of this petition, this Court is inclined to condone the delay of 407 days in filing the CMA.SR.No.36126 of 2025.

6. Accordingly, this Civil Miscellaneous Petition is allowed. It is made clear that the petitioner/claimant is not entitled for any interest for the delay period of 407 days.

7. Registry is hereby directed to number the Appeal, if it is otherwise in order.

8. Registry is directed to print the name of Mr.S.Raghunathan,



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learned counsel for the first respondent and Mr.J.Michael Visuvasam,
learned counsel for the second respondent in the cause list at the time of
admission.

02-04-2025

jai

To

1. V.S.T Motors Limited
250/2, Meyyanur, Alagapuram Post, Salem Taluk and
District.
2. The New India Assurance Co. Ltd.
17, Fort Main Road, Shevapet, Salem Taluk and District.



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S. SOUNTHAR, J.

jai

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