



WEB COPY



C.M.P. No. 11749 of 2025
in C.M.A.SR.No.51467 of 2025

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 194 days in filing the above Civil Miscellaneous Appeal against the award dated 26.03.2024 passed in M.C.O.P.No. 142 of 2022, on the file of Motor Accident Claims Tribunal, Principal Subordinate Judge, Mayiladuthurai.

2. Mr.B.Siva Kollapan, learned counsel for appellant submitted that since the file was misplaced and due to administrative contingencies in processing the case for filing appeal, the documents were sent to the counsel at Chennai for filing the appeal with a delay. Though the documents were prepared emergently and arranged for filing appeal on 28.03.2025, there was a delay of 194 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.

3. Mr.A.Muthukumar, learned counsel for 1st respondent appeared and raised strong objections stating that no proper explanation assigned for the delay.

4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one. Accordingly, 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.

18.08.2025

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