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C.M.P. No. 15763 of 2024
in C.M.A.SR.No.83367 of 2024

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 83 days in filing the above Civil Miscellaneous Appeal against the award dated 08.01.2024 passed in M.C.O.P.No. 30 of 2009, on the file of Motor Accident Claims Tribunal, Subordinate Court, Mettur.

2. Mr.M.R.Jothimanian, learned counsel for appellant submitted that due to ill-health and due to financial constraints, the appellant is not able to instruct counsel on record to prefer the above appeal and only during month of July 2024, he gave papers to him, as a result of which, there is a delay of 83 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.K.Ayyadurai, learned counsel for respondents 1 to 3, Mr.R.Navaneetha Krishnan, learned counsel for 5th respondent and Mr.D.Bhaskaran, learned counsel for 4th respondent appeared and raised objections stating that no sufficient cause was assigned for the delay.



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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.Ayyadurai, learned counsel for respondents 1 to 3, Mr.R.Navaneetha Krishnan, learned counsel for 5th respondent and Mr.D.Bhaskaran, learned counsel for 4th respondent in the cause list. The interest for the delay period is ordered to be waived.

5. Post the matter on 18.08.2025 along with connected appeal in C.M.A.No. 2940 of 2024.

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