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C.M.P. No. 16715 of 2025
in C.M.A.SR.No.104858 of 2025

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 3324 days in filing the above Civil Miscellaneous Appeal against the award dated 27.01.2016 passed in M.C.O.P.No. 1140 of 2014, on the file of Motor Accident Claims Tribunal, Special Sub-Court, Dharmapuri.

2. Mr.S.Udhayakumar, learned counsel for appellant submitted that due to ill-health and also due to financial constraints, the appellant is not able to instruct counsel on record to prefer the above appeal. Furthermore, the appellant's erstwhile counsel was died due to illness and thereafter only during month of July 2025, he gave papers to him, as a result of which, there is a delay of 3324 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.P.Suresh Srinivasan, learned counsel for 2nd respondent raised strong objections stating that there was an inordinate delay in the filing the above appeal and the reason for the same was not properly explained.



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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. The interest for the delay period is ordered to be waived.

28.08.2025

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