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CMP.No.26624 of 2025 in CMA SR.No.110097 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.11.2025
CORAM
THE HONOURABLE MRS JUSTICE R.KALAIMATHI
C.M.P.No.26624 of 2025
in
CMA.SR.No.110097 of 2025

The Branch Manager,
Cholamandalam MS General Insurance Co., Ltd.,
No.41, II Floor, TABS Complex,
Bharathidasan Salai,
Tiruchirapalli 620 001.

... Petitioner

vs.

1.Irfana Thahasin
2.Minor.N.K.Inaya Nazmin
3.Minor.N.K.Nafia Naznin
(Minor petitioners 2 & 3 are rep.by their
next friend , natural guardian and mother
the 1st petitioner Irfana Thahasin)
4.M.Khader Sheriff
5.Banu
6.Ramasamy

... Respondents

Prayer : This Civil Miscellaneous Petition is filed under Section 173(1) of the Motor Vehicles Act, 1988 to condone the delay of 367 days in filing the above appeal against the Judgment and decree dated 05.03.2024 passed in M.C.O.P.No.579 of 2019 on the file of the Motor Accident Claims Tribunal (Principal District Court), Perambalur.

For Petitioner : Mr.Siva Kollapan.B

For Respondents : Mr.T.Gobinath



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ORDER

This Civil Miscellaneous Petition has been filed to condone the delay of 367 days in filing the above appeal.

2. Heard the learned counsel for the petitioner.

3. The learned counsel for the respondents no.1 to 5 has no serious objection in allowing this petition.

4. The petitioner would aver that the case file was misplaced in the Regional Office as it got mixed up with other files. It was later traced and forwarded to the Branch Office at Trichy. Hence, delay of 367 days occurred in preferring the civil miscellaneous appeal.

5. Accepting the averments made in the petition, this petition shall stand allowed on payment of cost of Rs.500/- payable in favour of the Cancer Institute (WIA), Gandhi Nagar Canal Bank Road, Adyar, Chennai – 20 (payable in S.B.A/c.No.149710011000002, Union Bank of India, Madhya Kailash Branch, Cancer Institute (WIA) Campus, Sardar Patel Road, Chennai-36, Branch Name and Code : 1497, MICR No.600011049, IFSC Code :



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UBIN0814971), on or before 18.11.2025. Failing which, this petition shall stand automatically dismissed without any further reference to this Court.

04.11.2025

kkd

Note : Issue order copy on 05.11.2025

To

1. The Motor Accident Claims Tribunal,
(Principal District Court), Perambalur.

2. The Cancer Institute (WIA),
Gandhi Nagar Canal Bank Road,
Adyar, Chennai – 20.



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R.KALAIMATHI,J.

Kkd

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