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CMP.No.18524 of 2025 in CMA SR.No.117675 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM

**THE HONOURABLE MRS JUSTICE R.KALAIMATHI**

**C.M.P.No.18524 of 2025**

**in CMA.SR.No.117675 of 2025**

1.Khader Basha  
2.Afsar Jabeen  
3.Rahimunissa  
4.Rugaiya Jabeen  
5.Sanaullah

... Petitioners

vs.

1.M.Prabhakaran  
2.M/s.The New India Assurance Company Limited,  
Bombay Mutual Building,  
6<sup>th</sup> Floor, No.232, Nsc Bose Road,  
Chennai 600 001.

... Respondents

**Prayer** : This Civil Miscellaneous Petition is filed under Section 173(1) of the Motor Vehicles Act, 1988 to condone the delay of 287 days in filing the above appeal .

For Petitioner : Mr.F.Terry Chella Raja

For R2 : No Appearance

### **ORDER**

This Civil Miscellaneous Petition has been filed to condone the delay of 287 days in filing the above appeal.



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**R.KALAIMATHI,J.**

kkd

2. Heard the learned counsel for the petitioners/claimants.
3. None represents the second respondent/Insurance Company.
4. The petitioner would aver that on account of the death of his wife, the family is struggling in her absence, and he finds it difficult to maintain the family without his wife and her income. Hence, delay of 287 days in occurred in filing the Civil Miscellaneous Appeal
5. Accepting the averments made in the affidavit filed in support of this petition, this petition is allowed subject to the condition that the interest for the delay period of 287 days shall stand waived.

10.10.2025

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**To**

The Motor Accident Claims Tribunal,  
Chief Judge, Court of Small Causes, Chennai.

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CMA.SR.No.117675 of 2025