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C.M.P.No.24094 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31.10.2025**

CORAM

THE HONOURABLE MRS JUSTICE R. KALAIMATHI

C.M.P.No.24094 of 2025

in C.M.A.Sr.No.112510 of 2025

1. T.Babu

2. T.Shanmugam

.. Petitioners

Vs.

1. Mangamma

2. Mari (Minor)

Represented by Mrs. Mangamma W/o Velan

3. Nagavalli (Minor)

Represented by Mangamma W/o Velan

..Respondents

Prayer: This Civil Miscellaneous Petition is filed under Section 173(1) of Motor Vehicles Act, 1988, to condone the delay of 1132 days in filing the above appeal.

For Petitioners : Mr.M.Shashvath Velayyadurai

ORDER

This Civil Miscellaneous Petition is filed by the owner-cum-driver of the tractor and owner of the Trailer bearing registration No.TN 20 CB 1782 praying to condone the delay of 1132 days in filing the Civil Miscellaneous Appeal against the Award dated 01.04.2021 passed in M.C.O.P.No.43 of 2019 on the file of the Special District Court (to deal with MCOP cases), Thiruvallur.



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2. Heard the learned counsel for the petitioners.

3. Despite the receipt of notice, neither the respondents appeared nor they entered appearance through counsel.

4. The first petitioner T.Babu would aver that a false complaint was lodged against the petitioners and now they are acquitted by the Magistrate Court, Uthukottai by an Order dated 30.05.2024 on the ground that available evidence is not sufficient. Hence, they have sustained physical, psychological and economic damage, which resulted in a significant delay of 1132 days in filing the Civil Miscellaneous Appeal.

5. Accepting the reasons mentioned in the affidavit, this Civil Miscellaneous Petition shall stand allowed on payment of costs of Rs.3,000/- (Rupees Three Thousand Only) payable in favour of the High Court Legal Services Authority, Madras High Court, Chennai, **on or before 13.11.2025**. Failing which, this petition shall stand automatically dismissed without any further reference to this Court.

31.10.2025

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Note: Registry is directed to issue order copy on or before 04.11.2025.



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1. The High Court Legal Services Authority, Madras High Court, Chennai



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R. KALAIMATHI, J.

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