



C.M.P(MD)No.4408 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 21-11-2025
CORAM**

THE HONOURABLE MS.JUSTICE R. POORNIMA

C.M.P(MD)No.4408 of 2025
in
C.M.A.(MD) SR.No.8936 of 2025

1. Kannappan S/o.Kasiviswanathan

2. MEENAKSHI W/o.Kannappan
Both are residing at No.4/555 Kumaranillam
Ramanamagarishi Nagar
Sennamanayaganpatti Post
Dindigul District - 624 004.

Petitioner(s)

Vs.

1. Anilkumar
No.203, Vathamam Market
Plot No.1, L.S.C.West Enkilev, Pidhampura
New Delhi - 110034.

2. The General Manager
Chandra Logistics Private Limited
No.203, Varthaman Market,
Plot No.1, L.S.C.West enkilev, Pidhampura
New Delhi - 110 034.

3. The Divisional Manager
Iffco Tokio General Insurance Co Ltd
1st Floor Bireedham Plaza, No.82 Bye Pass Road
Chandra Gandhi Nagar, Ponmeni
Madurai - 10.



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4. Vijayakanth S/o.Nagalingam
No.12/237. lekshman Bavan
Amirijam Street
Sulaimeedu
Chennai - 600 094.

5. M/s.Bajaj Allianz General Insurance Co Ltd
G.V.R.Complex
No.6-A Lasence Road
2nd Floor Cantonment
Trichy -1.

6. Minor.Kamalika
S/o.Late.Muthukumar
No.17 First Street
Subramanipuram
Thiruverumbur
Tiruchirappalli - 13.

(6th Respondent is minor Represented by her Mother and next Friend
Gandhimadhi)

7. Gandhimadhi
W/o.Late.Muthukumar
No.17 First Street
Subramanipuram
Thiruverumbur
Tiruchirappalli – 13.

Respondent(s)

For Petitioner(s): Mr.N.SUDHAGAR NAGARAJ

For Respondent(s): M/s. J.Barathan For R2

M/s.V.Sakthivel For R3

M/s.K.R.Shiva Shankari - For R5

R1 & R4 - Memo Filed Usr.32800

Dt.07.08.2025 (dispense With)



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Prayer: To condone the delay of 240 days in filing the above civil miscellaneous appeal against the order in MCOP.No.1470 of 2016 on the file of the Motor Accident Claims Tribunal / Special District Judge, to deal with MCOP Cases Tiruchirappalli dated 13-03-2024 and thus render justice.

ORDER

This Petition is filed to condone the delay of 240 days in filing the above Civil Miscellaneous Appeal.

2. The learned counsel for the appellant filed a memo stating that the respondents 1 and 4 are not necessary parties for the purpose of adjudication in this appeal, as the claimant filed this appeal only for enhancement and prayed to dispense with the appearance of respondents 1 and 4. Therefore, notice to Respondents 1 and 4 is dispensed with.

3. The learned counsel appearing for Respondents 2 and 5 have no objection. The learned counsel appearing for the 3rd respondent submitted that the interest may be waived for the period of delay.



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4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. For the reasons stated in the accompanying affidavit filed in support of the Petition and on being satisfied with the same, the delay is condoned subject to condition that the Further, the appellant / claimant is not entitled to get interest for the delayed period.

6. This petition is accordingly ordered.

7. Registry is directed to number the Civil Miscellaneous Appeal, if the papers are otherwise in order and list it for admission in usual course.

21.11.2025

RM



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R.POORNIMA, J.

rm

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