



WEB COPY



CMP(MD) NO. 3828 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07-11-2025

CORAM

THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 3828 of 2024

IN

CMA(MD) SR NO. 10406 OF 2024

1. Peter (Died)
1. Sagaya Mary
W/o. Late. Peter
No.1/47
North Uranagudi
Uppoor
R.S.Mangalam Taluk
Ramanathapuram District.

2. JENIFER
D/o. Late. Peter
No.1/47
North Uranagudi
Uppoor
R.S.Mangalam Taluk
Ramanathapuram District.

3. SASIKALA
D/o. Late. Peter
No.1/126
Kovil Street
Chinnakarkathakudi
Thiruvadanai Taluk
Ramanathapuram District.

Petitioner(s)

Vs

1. Premkumar
S/o. Alwandar
K.Polani
Sri Lakshmi Nilaya Sy 10/11
Nekal Road
Attidele (Hanekal TQ)



Bangalore District.
2. The Manager
New India Assurance Company
No.14/7
K.G.Complex
Bagalur Road
Hosur
Krishnagiri District.



Respondent(s)

For Petitioner(s):

D.Balamuruga Pandi
T.Venkatesan

For Respondent(s):

M/s. C.Karthik

For R2 Sr.18346 Dt.05.06.2024

R1 - Memo Filed Usr.24210 Dt.19.06.2025 (dispense With)

Prayer:To Condone the delay of 278 days in filing the above Civil Miscellaneous Appeal against MCOP No.9 of 2016 on the file of the Chief Judicial Magistrate/Motor Accident Claims Tribunal, Ramanathapuram pending disposal of the main Civil Miscellaneous Appeal and thus render justice.

ORDER

The learned counsel appearing for the petitioner filed a memo stating that the first respondent was remained ex-parte before the Tribunal and he is not contesting the case and his appearance may be dispensed with.

2.In view of the submission made by the learned counsel appearing for the petitioner, the appearance of the first respondent is dispensed with and the said memo dated 19.03.2025 is recorded.

3.This petition is filed to condone the delay of 278 days in filing the above appeal.

4.Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court.



5.The learned counsel appearing for the second respondent submit that the petitioners are not entitled for interest for the default period.

6.For the reasons stated in the accompanying affidavit filed in support of the Petition and on being satisfied with the same, this Petition is allowed and the delay is condoned.

7.Registry is directed to number the above Civil Miscellaneous Appeal, if it is otherwise in order.

07-11-2025

Ns

To

1. Premkumar
S/o. Alwandar
K.Polani
Sri Lakshmi Nilaya Sy 10/11
Nekal Road
Attidele (Hanekal TQ)
Bangalore District.

2. The Manager
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