



WEB COPY

CMP(MD) NO. 12877 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **04-11-2025**
CORAM
THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 12877 of 2025
IN
CMA(MD) SR NO. 59607 OF 2025

1. Chinnadurai
S/o. Lakshmanan
Periyatheru
Athipakkam
Keelakattur
Thiruvudaimaruthur Taluk.

Petitioner(s)

Vs

1. Balasubramaniyan
S/o. Sundaram
No.60/6/33F
Bidaran Street
Aadudurai
Thiruvudaimaruthur Taluk.

2. The Branch Manager,
United India Insurance Company Limited
6/38
1st Floor
RCC Building
Baaikara Street
Aadudurai Main Road



WEB COPY

Aadudurai.

Respondent(s)

For Petitioner(s): Mr.K.Saravanan

For Respondent(s):
M/s. A.S.Mathialagan

For R2 Sr.34126 Dt.18.08.2025

R1 - Memo (dispense With) Filed Usr.32890 Dt.07.08.2025

Prayer:Civil Miscellaneous Petition filed under Section 173 of the Motor Vehicles Act praying this Court condone the delay of 960 days in filing this Civil miscellaneous appeal and order to take on file the delay petition as against the judgment and decree passed in M.C.O.P.No 358/2019, dated 16.08.2022 on the file of the (Motor Accidents Claims Tribunal) Additional sub Court, Kumbakonam.

ORDER

This Petition is filed to condone the delay of 960 days in filing this Civil miscellaneous appeal and order to take on file the delay petition as against the judgment and decree passed in M.C.O.P.No 358/2019, dated 16.08.2022 on the file of the (Motor Accidents Claims Tribunal) Additional sub Court, Kumbakonam.

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

2/4



WEB COPY

3.The learned counsel for the Petitioner filed a memo stating that since no relief was sought for against R1, his appearance may be dispensed with. The said memo is recorded. Notice to R1 is dispensed with. R2not present.

4.The learned counsel for the first respondent would submit that the Petition may be allowed subject to the condition that the interest may be waived for the default period.

5.In view of the above said submission, this Petition is ordered and the delay is condoned, however, on condition that the Petitioner is not entitled for interest for the default period.

04.11-2025

To

The Judge,
The Additional Sub Court,
(The Motor Accidents Claims Tribunal)
Kumbakonam.



WEB COPY



R.POORNIMA,J.

vsn

ORDER MADE IN
CMP(MD) NO. 12877 of 2025
IN
CMA(MD) SR NO. 59607 OF 2025

04.11.2025