



C.M.P(MD)No.13671 of 2024
in C.M.A(MD)SR.No.70289 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16-09-2025

CORAM

THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 13671 of 2024

IN

CMA(MD) SR NO. 70289 OF 2025

M.Lakshmi

W/o. Late. Murugan, Door No.4/16, Main Road,
Kannapudur, Shenbagaramanputhur Post, Thovalai
Taluk, Kanyakumari District.

Petitioner(s)

Vs

Thirumalai Murugan

S/o. Madaswamy, Kamaraj Nagar, North
Malayadipatti, Rajapalayam, Virudhunagar District.

*Notice to R1 is dispensed with, as R1 was set ex-parte
before the Tribunal, vide court order dated 11.06.2025
made in CMP(MD)No. 13671 of 2024 in CMA(MD)SR
No.70289 of 2024 by KMSJ. and another*

Respondent(s)

For Petitioner(s):

Mr.S.Muthumalai Raja

For Respondent No.2:

M/s. Muthu Ganesa Pandian

Prayer:

To condone the delay of 321 days for filing Civil Miscellaneous Appeal against M.C.O.P.No.137/2019 dated 12.07.2023 on the file of Honourable Motor Accidents Claims Tribunal/IIInd Additional Sub Court, Nagercoil and thus render justice.

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ORDER

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This Civil Miscellaneous Petition is filed to condone the delay of 321 days in filing the above Civil Miscellaneous Appeal.

2. Heard Mr.S.Muthumalai Raja, learned Counsel for the petitioner and Mr.Muthu Ganesa Pandian, learned Counsel for the 2nd respondent and perused the materials placed before this Court.

3. Mrs.K.R.Shivashankarai, learned Counsel undertakes to file Vakalath for the Respondent No.3.

4. The learned counsel appearing for the 2nd respondent has no objection in allowing this Petition, subject to the condition that the claimants are not entitled for interest for the default period.

5. The petitioners have given sufficient reasons for the delay. This Court is also convinced with the reasons assigned in the accompanying affidavit. Hence, this Civil Miscellaneous Petition is allowed and the delay



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of 321 days in filing the above Civil Miscellaneous Appeal is condoned, subject to the condition that the claimants are not entitled for interest for the default period.

6. Registry is directed to number the Civil Miscellaneous appeal, if the papers are otherwise in order.

16.09.2025

gvn

To :

The Manager,
Cholamandalam,
MS General Insurance Company Limited,
Srivilliputhur,
CIE No.76-A/7,
Bypass Road,
M.S.R.Complex,
Near ICICI ATM,
Srivilliputhur and Post,
Virudhunagar District.
Represented by its the Managing Director,
Cholamandalam MS General Insurance Company Limited,
No.227, Ground Floor,
Rajakkamangalam Road,
Chettikulam Junction,
Nagercoil 629 002.
Kanyakumari District.



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R. POORNIMA, J.

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