



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.02.2026

Coram:

The Honourable Mrs.Justice K.GOVINDARAJAN THILAKAVADI

**C.M.P.No.19697 of 2024
in C.M.A.SR.No.96959 of 2024**

- 1.Mrs.S.Nagamani
- 2.Minor Punith Kumar
- 3.Minor Niharika
- 4.Mrs.Sodem Chengammal

...Petitioners

Versus

The Managing Director,
APSRTC Bus,
Thirupathi,
Andhra Pradesh.

...Respondent

Prayer: This Civil Miscellaneous Petition is filed under Section 173(1) of the Motor Vehicles Act, 1988 praying to condone the delay of 478 days in filing the C.M.A against the Judgment and Decree dated 19.12.2023 made in M.C.O.P.No.158 of 2022 on the file of the Motor Accident Claims Tribunal No.I, District Special Judge, Thiruvallur.

For Petitioners : Ms.R.Reena

For Respondent : No Appearance



ORDER

This Civil Miscellaneous Petition has been filed by the Petitioner seeking to condone the delay of 478 days in filing the C.M.A.SR.No.96959 of 2024 against the Judgment dated 19.12.2023 in M.C.O.P.No.158 of 2022 passed by the learned Special District Judge, Motor Accident Claims Tribunal No.I, Special District Court, Thiruvallur.

2. The learned counsel for Petitioners submitted that the 1st Petitioner had filed a Claim Petition in M.C.O.P.No.158 of 2022 before the Motor Accident Claims Tribunal No.I, Special District Court, Thiruvallur claiming a sum of Rs.80,00,000/- as compensation for the death of her husband who died in the road accident which took place on 30.07.2021. However, the Tribunal had awarded only a meagre amount of Rs.22,88,000/- as compensation. Hence, the 1st Petitioner has filed the above C.M.A.SR.No.96959 of 2024 seeking for enhancement of compensation. After the demise of 1st Petitioner's husband, Petitioners are financially struggling a lot to eke out their livelihood. Due to the financial crisis, the Petitioners could not file the appeal in time. Hence, there is a delay of 478 days in filing the above C.M.A.SR.No.96959 of 2024. The said delay is neither willful nor wanton. Therefore, the learned counsel prayed that this Civil Miscellaneous Petition may be allowed.

3. Heard the learned counsel for Petitioners and perused the materials available on record.



4. Considering the facts and circumstances of the case and in the interest of justice, this Court is inclined to condone the delay and allow this petition.

5. Accordingly, the delay of 478 days in filing the C.M.A.SR.No.96959 of 2024 is condoned and this Civil Miscellaneous Petition is allowed.

27.02.2026

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Note: Registry is directed to number C.M.A.SR.No.96959 of 2024, if it is otherwise in order.



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K.GOVINDARAJAN THILAKAVADI, J.

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