



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.02.2026

WEB COPY

Coram:

The Honourable Mrs.Justice K.GOVINDARAJAN THILAKAVADI

**C.M.P.No.20397 of 2025
in C.M.A.SR.No.166397 of 2023**

Vijay @ Vijayakumar

...Petitioner

Versus

1.Renault Nissan Technology and Business
Centre Indian Pvt. Ltd.,
2nd Floor, 2 and 3 Ascendas IT Park,
Mahindra World City Natham Sub Post,
Chengalpet – 603 002.

2.Royal Sundaram General Insurance Co. Ltd.,
No.1, 2nd Floor, Subramanian Building,
Club House Road, Chennai – 600 002.

...Respondents

Prayer: This Civil Miscellaneous Petition is filed under Order IV Rule 9(4) of A.S.Rules praying to condone the delay of 316 days in re-presenting the above Civil Miscellaneous Appeal Sr.No.166397 of 2023.

For Petitioner : Ms.S.Krithikadevi
for M/s.S.Law Firm

For Respondent – 1 : Mr.G.Kalyan Jhabakh

For Respondent – 2 : Mr.S.Srinivasan



ORDER

WEB COPY

This Civil Miscellaneous Petition has been filed by the Petitioner seeking to condone the delay of 316 days in re-presenting the above C.M.A.SR.No.166397 of 2023.

2. The learned counsel for Petitioner submitted that she had filed the above C.M.A.SR.No.166397 of 2023 on 22.10.2023, but, the same was returned on 10.01.2024 for certain compliances. When she was rectifying the said compliances, this appeal papers got mixed up with another case bundle. She could trace the appeal papers recently and thereafter, she has represented this Appeal on 24.07.2025. Hence, there is a delay of 316 days in re-presenting the above C.M.A.SR.No.166397 of 2023. The said delay is neither willful nor wanton. If the delay is not condoned, irreparable loss and hardship would be caused to the Petitioner. Therefore, the learned counsel prayed that this Civil Miscellaneous Petition may be allowed.

3. On the other hand, the learned counsel appeared on behalf of 1st Respondent submitted that he has serious objection for allowing this petition since the reasons adduced in the affidavit filed by the Petitioner are not acceptable and also, not sufficient to condone the delay in re-presenting the appeal. He further submitted that the above C.M.A.SR.No.166397 of 2023 has been represented with an inordinate delay of 316 days and the reasons cited by the Petitioner for the said delay are vague and unsubstantiated. Therefore, this Civil Miscellaneous Petition is liable to be dismissed.



WEB COPY

4. The learned counsel appeared on behalf of 2nd Respondent/Insurance Company has submitted that he has no serious objection to this petition being allowed, but, he prayed that Petitioner may not be awarded with any interest for the default period, in the event, if this Court enhances the compensation awarded by the Tribunal.

5. Heard the learned counsel on either side and perused the materials available on record.

6. 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.

7. Accordingly, the delay of 316 days in representing C.M.A.SR.No.166397 of 2023 is condoned and this Civil Miscellaneous Petition is allowed.

8. It is made clear that after the numbering of this Civil Miscellaneous Appeal, if this Court enhances the compensation which was awarded by the Tribunal, Petitioner/Claimant will not be entitled to get any interest for the default period.

27.02.2026

mrr

Note: Registry is directed to number C.M.A.SR.No.166397 of 2023, if it is otherwise in order.

3/4



WEB COPY



K.GOVINDARAJAN THILAKAVADI, J.

mrr

C.M.P.No.20397 of 2025
in C.M.A.SR.No.166397 of 2023

27.02.2026