



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.02.2026

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Coram:

The Honourable Mrs.Justice K.GOVINDARAJAN THILAKAVADI

**C.M.P.No.16918 of 2025
in C.M.A.SR.No.105080 of 2025**

Arul

...Petitioner

Versus

1.Selvanadhan

2.The Branch Manager,
Shriram General Insurance Co. Ltd.,
No.27, 100 feet road, Sundar Raja Nagar,
Mudaliarpeta,
Puducherry.

...Respondents

Prayer: This Civil Miscellaneous Petition is filed under Section 173(1) of M.V.Act praying to condone the delay of 975 days in filing the appeal in C.M.A.SR.No.105080 of 2025 against the award passed in M.A.C.T.O.P.No.356 of 2020 dated 12.07.2022 on the file of the Special Officer-cum-Additional Sub Judge, Presiding Officer, Motor Accident Claims Tribunal at Puducherry.

For Petitioner : Mr.R.Sreedhar

For Respondent – 1 : No Appearance

For Respondent – 2 : Mr.S.Dhakshnamurthy



ORDER

This Civil Miscellaneous Petition has been filed by the Petitioner seeking to condone the delay of 975 days in filing the appeal in C.M.A.SR.No.105080 of 2025 against the Award dated 12.07.2022 in M.A.C.T.O.P.No.356 of 2020 passed by the learned Special Officer-cum-Additional Sub Judge, Presiding Officer, Motor Accident Claims Tribunal, Puducherry.

2. The learned counsel for Petitioner submitted that the Petitioner had filed a claim petition in M.A.C.T.O.P.No.356 of 2020 before the Motor Accident Claims Tribunal, Puducherry claiming a sum of Rs.5,00,000/- as compensation for the grievous injuries sustained by him in the road accident which took place on 06.07.2020. However, the Tribunal had awarded only a meagre sum of Rs.1,29,398/- as compensation for the grievous injuries sustained by the Petitioner. Aggrieved by the same, Petitioner has preferred an appeal in C.M.A.SR.No.105080 of 2025. Since the Petitioner was having continuous health issues, he could not file the appeal in time. Hence, there is a delay of 975 days in filing the appeal. The said delay is neither willful nor wanton. Therefore, the learned counsel prayed that this Civil Miscellaneous Petition may be allowed.

3. There is no representation on behalf of 1st Respondent/owner of the offending vehicle.

4. The learned counsel appeared on behalf of 2nd Respondent/Insurance Company submitted that he has serious objection to



this petition being allowed since the reasons attributed in the affidavit filed by the Petitioner are not sufficient to condone the delay in filing the appeal. The learned counsel 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 for Petitioner/Claimant and the learned counsel appeared on behalf of 2nd Respondent/Insurance Company.

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 975 days in filing the C.M.A.SR.No.105080 of 2025 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

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Note: Registry is directed to number C.M.A.SR.No.105080 of 2025, if it is otherwise in order.



To

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1. Motor Accident Claims Tribunal,
Puducherry.
2. The Section Officer,
Vernacular Records Section,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI, J.

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