



CMP(MD)No..
in CMA(MD)SR.No.30430 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07-08-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMP(MD) No.5847 of 2026

in

CMA(MD) SR.No.30430 of 2026

*Branch Manager;
The New India Assurance Company Limited,
Pudukkottai.*

**Petitioner/
Appellant**

Vs

- 1.Mothi
- 2.Minor Ajina Banu
- 3.Minor Syed Ashik
- 4.Minor Mohammed Arish
*(minor respondents 2 to 4 are represented by their mother
and natural guardian the 1st respondent, Mothi)*
- 5.Shajakhan

**Respondents/
Respondents**

This Civil Miscellaneous Petition filed under Section 173(1) of Motor Vehicles Act praying to condone the delay of 113 days in filing the above appeal.

For Petitioner: Mr.J.S.Murali, Advocate

For Respondents: Mr.N.Balakrishnan, Advocate for R1 to R4



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ORDER

WEB COPY The above petition has been filed seeking orders to condone the delay of 113 days in filing the appeal, challenging the award passed in M.C.O.P.No.139 of 2021 dated 29.08.2025 on the file of the Motor Accident Claims Tribunal / Additional District and Sessions Court, Pudukkottai.

2. When the matter is taken up today, the learned counsel appearing for the petitioner would submit that the fifth respondent is the owner of the vehicle and since the appeal is filed only challenging the quantum of compensation, notice to the fifth respondent may be dispensed with and also filed a memo dated 05.08.2026 to that effect. The said memo is recorded.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 to 4.

4. Considering the reasons assigned and taking note of the quantum of delay, this Court is inclined to condone the delay but on terms. Hence, this petition will be allowed on payment of cost of **Rs.500/- (Rupees Five Hundred only)** by the petitioner to the Madurai Bench of Madras High Court Advocates Welfare Fund [Indian Bank High Court Branch, Madurai, Current Account No.7087208431, IFSC IDIB000H040], on or before **17.08.2026**, failing which, this petition shall stand dismissed automatically.

5. Post the matter on 18.08.2026 'for reporting compliance'.

07-08-2026

CSM

To

1.The Secretary,
(Advocates Welfare Fund),
Bar Council of Tamil Nadu and Puducherry,
High Court Campus, Chennai 104.

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