



C.M.P.(MD).No. 3133 of 2026
in
C.M.A(MD)SR.No. 35727 of 2025

K.K.RAMAKRISHNAN, J.

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The Civil Miscellaneous Petition has been filed seeking orders to condone the delay of 70 days in filing the appeal against the award, dated 27.09.2024 made in M.C.O.P.No.1866 of 2022 on the file of the Motor Accident Claims Tribunal, Special District Court for MCOP Cases, Madurai.

2.The learned counsel appearing for the Insurance Company would submit that, in the present appeal, the challenge is confined only to the negligence/quantum of compensation and, therefore, notice to the owner of the vehicle may be dispensed with.

3.Heard the learned counsel for the petitioner as well as the learned counsel appearing for the respondents and also perused the records.

4.The respondent has/have vehemently opposed to condone the delay.

5.This Court applying the principle laid down by the Hon'ble Three Judges Bench of Supreme Court in the case of **DDA vs. Tejpal** reported in **(2024) 7 SCC 433** satisfied the reasons stated in the accompanying affidavit filed in support of the condone delay petition and also in the interest of justice to give opportunity to contest the case on merits, this Court is inclined to condone the delay of 70 days

6.Accordingly, this petition is ordered and the Registry is directed to take the appeal on file, if it is otherwise in order and list the matter in the regular course.

21.08.2026

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