



C.M.P.(MD).No. 46 of 2026 in
C.M.A(MD)SR.No.106406 of 2025

K.K.RAMAKRISHNAN, J.

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The Civil Miscellaneous Petition has been filed seeking orders to condone the delay of 129 days in filing the appeal against the award, dated 05.03.2025 made in M.C.O.P.No.2829 of 2015 on the file of the Motor Accident Claims Tribunal Iv Additional District Judge, Madurai.

2.Despite receipt of notice, Respondents Nos.1 to 5 have not turned up.

3. Since the notice served on the respondents 1 to 5, namely, was returned with an endorsement “unclaimed”, the same is deemed to be valid service of notice.

4.Heard the learned counsel for the petitioner and also perused the records.

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 129 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

dss



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