



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Ninth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR

CMP (MD) No.2250 of 2016
IN
CMA (MD) No.1386 of 2015

R.NALLAPONNU

... PETITIONER/APELLANT

Vs

1 M/S. BHARATHI CARTONS PRIVATE
LIMITED, MELA ARASARADI,
THOOTHUKUDI.

2 ROYAL SUNDARAM ALLIANCE
INSURANCE COMPANY LIMITED,
CHENNAI.

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous Petition filed under order 41 Rule 19 r/w section 151 of CPC praying that in the circumstances stated therein and in the affidavit filed therewith to restore the CMA.(MD). No.1386/2015 which was dismissed for default on 10.02.2016 and order to post the same for admission

Prayer in CMA(MD). 1386/ 2015 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act against the order and decree of the tribunal in M.C.O.P.No.371 of 2013 dated 14.08.2014 on the file of the Motor Accident Claims Tribunal, I Additional District Court, Thoothukudi and allow the appeal with costs.

ORDER : This petition coming on for hearing upon perusing the on this day and material papers petition and the affidavit filed in support thereof, on the file of the High Court and M/S. S.MUTHALRAJ, Advocate for the petitioner herein and MR.A.PRASANNA RAJADURAI, Advocate for the Respondents the court made the following order:-

"This petition was filed to restore the CMA which was dismissed for default on 10.02.2016.



Considering the facts and circumstances of the case and in the interest of justice, this petition allowed and the CMA's restored to file.

WEB COPY

/ TRUE COPY /

sd/-
29/09/2016

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE I ADDITIONAL DISTRICT JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
THOOTHUKUDI

Copy to:-

THE SECTION OFFICER,
VR SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATED :29/09/2016

ORDER

CMP (MD) No.2250 of 2016
IN
CMA (MD) No.1386 of 2015

Giving direction as stated
within

SMA/PV/SAR-I/21.10.2016:2P/3C