



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Thirty First day of July Two Thousand and Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CMP (MD) No.7019 of 2018
IN
CMA (MD) No.SR34912 of 2015

1.AMUTHA,

2.KARUNANITHI,

... PETITIONERS/APPELLANTS

Vs

1.ANBALAGAN

2.THE MANAGER(LAW),
BHARATHI AXA GENERAL INSURANCE CO.,LTD,162,
METRO PLAZA,2ND FLOOR,ANNA SALAI,
CHENNAI.

... RESPONDENTS/RESPONDENTS

{R1 was set exparte before the Tribunal, Hence Notice may be given up}

Prayer in CMP(MD). 7019/ 2018 :

This Petition filed under order 41 Rule 19 of Civil Procedure Code praying to restore the CMA.SR(MD).No.34912 of 2015 which was dismissed by order dated 16.03.2017 passed in CMP(MD).No.3420 of 2016.

Prayer in CMP(MD). 3420/ 2016 :

This Petition filed under section 151 of Civil Procedure Code praying to permit the Petitioner to amend the award amount from Rs.5,75,000/- to Rs.10,75,000/- for enhancement of compensation.

Prayer in CMA.SR. (MD) 34912/2015:

This Appeal filed under section 173 of Motor Vehicles Act 1988, against the Judgment and decreetal order made in MCOP.No.198 of 2011 dated 20.12.2013 by the Special District Court/Motor Accident Claims Tribunal, Thanjavur.

ORDER:

<https://hcservices.ecourts.gov.in/hcservices/>

This Appeal is coming on this day for hearing and upon perusing the earlier judgment of this Court and upon hearing the arguments of



Mr.S.Rajaprabu, Advocate, for the Appellant, this Court made the following order:-

This petition has been filed to restore the C.M.A.(MD) No.SR34912 of 2015, which was dismissed by order dated 16.03.2017.

2.Considering the reasons stated in the affidavit filed in support of the petition and also considering the order passed by this Court on 02.07.2018. this petition for restoration is ordered and the C.M.A(MD)No.SR34912 of 2015 is restored to file.

3.The Registry is directed to list the C.M.A.(MD)No.SR34912 of 2015.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

The Special District Judge,
Motor Accident Claims Tribunal,
Thanjavur.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench Of Madras High Court,
Madurai.

ORDER DATED:31.07.2018

RESTORATION

CMP (MD) No.7019 of 2018
IN
CMA (MD) No.SR34912 of 2015

Giving directions etc.,
as stated within.

DS/RSK/SAR-4 :14.08.2018: 2P/3C