



CMP(MD). No.6152 of 2019 in C.M.A.No.1109 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the First day of August Two Thousand Nineteen

Present

The Hon`ble Mrs.Justice J.NISHA BANU

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CMP(MD). No.6152 of 2019 in C.M.A.No.1109 of 2018

1.The Director of Rural Development,
Panagal Building Saidapet Chennai.

2.The Chairman,
Manachanallur Panchayat Union,
Manachanallur, Trichy District.

... Petitioners/Appellants

Vs

M.Jambulingam

... Respondent/Respondent

Prayer in CMP(MD). No.6152 of 2019 :-

This Petition is filed Under Order 41 Rule 19 of Civil Procedure Code praying to Set aside the order passed by this Honourable Court in CMA(MD) No.1109 of 2018 dated 28.11.2018 which was dismissed for default as non prosecution and restore the same.

Prayer in CMA(MD). 1109/ 2018 :

This Civil Miscellaneous Appeal filed Under Section 173 of the Motor Vehicles Act, 1988 praying to allow this appeal and set aside the decree and judgment made in M.C.O.P.No.3844 of 2013 dated 01.03.2017 on the file of the Motor Accident Claims Tribunal/Special Sub Judge, Trichy and thus render justice.

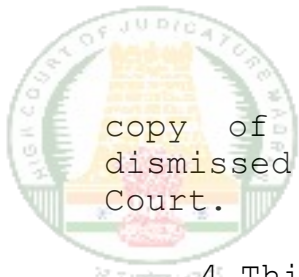
ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.GUNASEELAN MUTHIAH, ADDITIONAL GOVERNMENT PLEADER, on behalf of the Petitioners and of NO APPEARANCE EITHER IN PERSON OR BY AN ADVOCATE FOR THE RESPONDENT, this Court made the following order:

This petition has been filed by the petitioner seeking to set aside the order dated 28.11.2018 passed by this Court in C.M.A. (MD).No.1109 of 2019 whereby and whereunder this Court dismissed the appeal for non prosecution.

2.No representation for the respondent.

3.Considering the reasons stated in the affidavit filed in support of the petition, this Court is inclined to allow this petition subject to the payment of cost of Rs.1,000/- (Rupees one thousand only) to the Legal Services Committee, attached to this Bench, within a period of two weeks from the date of receipt of

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



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copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court.

4.This petition is accordingly ordered.

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Sd/-

Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar(CS)

TO

1. THE MOTOR ACCIDENTS CLAIMS TRIBUNAL/SPECIAL SUB JUDGE, TRICHY.
- 2.THE DIRECTOR OF RURAL DEVELOPMENT,
PANAGAL BUILDING SAIDAPET CHENNAI.
- 3.THE CHAIRMAN,
MANACHANALLUR PANCHAYAT UNION,
MANACHANALLUR, TRICHY DISTRICT.
4. THE SPECIAL GOVT. PLEADER,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

COPY TO

THE OFFICER INCHARGE,
LEGAL SERVICE COMMITTEE
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATED : 01/08/2019

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ORDER
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CMP(MD).No.6152 of 2019
in C.M.A.No.1109 of 2018

Giving direction and etc.
as stated within.

db(CO)
TR (21.08.2019) 2P 6C