



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Eighteenth day of October Two Thousand and Nineteen
PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD). No.9366 of 2019

in

CMP(MD).NO.11376 OF 2018

in

CMA(MD)SR.NO.28474 OF 2017

C.Elango ... Petitioner/petitioner/Appellant

Vs

1 V.Mohan

2 I. Sudarmathavan,

3 The Branch Manager,
United India Insurance Co Ltd. Nagercoil
Agasteeswara Taluk Kanyakumari District.

... Respondents/Respondents/ Respondents

Prayer in CMP(MD). No.9366 of 2019 :-

Pleased to Restore the C.M.P(MD) No. 11376/2018 in CMA.
(MD) SR. No. 28474/2017 which was dismissed for non- payment of
cost on 03.06.2019 and to and pass such further or other orders.

Prayer in CMP(MD). No.11376/2018 :-

Pleased to condone the delay of 137 days for filing Civil
Miscellaneous Appeal against M.C.O.P.No.16/2016 dated 18.10.2016.

Prayer in CMA(MD)SR.NO.28474 OF 2017 :-

This Civil Miscellaneous Appeal filed against the Judgment
and Decreetal order passed by the Motor Accident Claim Tribunal,
Special Court, Nagercoil in M.C.O.P.No.16/2016 dated 18.10.2016.

ORDER:-

This Miscellaneous 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 Thiru./Ms. D.Saravanan,
Advocate for the Petitioner and of Thiru./Ms. A.S.Mathialagan,
Advocate for the respondent3, this Court made the following order:



This petition has been filed to restore the CMP(MD).No.11376 of 2018 in CMA(MD).SR.No. 28474 of 2017, which was dismissed for non-payment of cost on 03.06.2019.

2. Heard the learned counsel appearing for the petitioner.

3. The learned counsel appearing for the respondents would submit that he has no objection in allowing this petition.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition and also in view of the no objection having been made by the learned counsel appearing for the respondents, this petition is allowed and the CMP(MD).No.11376 of 2018 is restored to file.

5. Registry is directed to post the CMP(MD).No.11376 of 2018 on 23.10.2019.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

TO

The Motor Accident Claim Tribunal,
Special Court, Nagercoil

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
(For Posting the case)

ORDER DATED : 18/10/2019
HEARING DATE : 23/10/2019
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RESTORATION

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CMP(MD) . No.9366 of 2019
in
CMP(MD).NO.11376 OF 2018
in
CMA(MD) SR.NO.28474 OF 2017

Giving direction and etc.
as stated within.

KK/SAR/22.10.2019/2P-3C/