



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Fourth day of September Two Thousand and Nineteen

PRESENT

The Hon'ble Mr. Justice T.S. SIVAGNANAM
AND

The Hon'ble Mrs. Justice R. THARANI

CMP(MD). No.7472 of 2019 in CMA(MD).No.1037 of 2017

1. Uma Maheswari
2. Minor M. Sumithra
3. Minor M. Poornima
4. Minor M. Vadivelan ... Petitioners/Appellants
(Minors 2 to 4 are represented
by their mother/next friend
Uma Maheswari/1st Petitioner herein)

Vs

1 Periyasamy
2 Unnamalai
3 The Divisional Manager
United India Insurance Company Ltd No.42
1st Floor Madathu St Kumbakonam
Thanjavur District.

... Respondents/Respondents

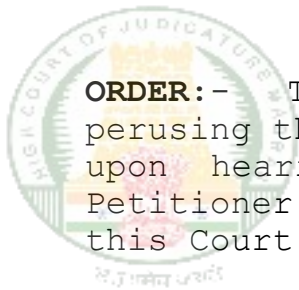
{R1 & R2 were set exparte before the
Tribunal, Hence notice may be
given up against them}

Prayer in CMP(MD). No.7472 of 2019:-

This Petition is filed Under section 5 of Limitation Act,
praying to condone the delay of 96 days in filing the restoration
application in CMA(MD)No.1037 of 2017 on its file, which was
dismissed for non-prosecution by this Honourable Court on
04.04.2019.

Prayer in CMA(MD). 1037/ 2017 :

This Civil Miscellaneous Appeal filed Under Section 173 of
Motor Vehicles Act, 1988 praying to set aside the Judgement and
Decreetal order made in MCOP.No. 16 of 2012 dated 04/11/2015 by the
Motor Accident Claims Tribunal / Chief Judicial Magistrate,
Thanjavur at Kumbakonam and allow the appeal.



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.B.Anandan, Advocate for the Petitioner and of Mr.A.Shajahan, Advocate for the respondent R3, this Court made the following order:

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" Heard the learned counsel on either side.
Satisfying with the reasons assigned in the affidavit filed in support of this petition. The delay in filing restoration petition is Condoned.

The Registry is directed to restore the appeal on file".

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

The Motor Accident Claims Tribunal / Chief Judicial Magistrate,
Thanjavur at Kumbakonam

Copy to:

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

ORDER DATED : 04/09/2019

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RESTORATION

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CMP(MD). No.7472 of 2019
in CMA(MD).No.1037 of 2017

Giving direction and etc.
as stated within.

CS(12.09.2019) 2P 3C