



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Fourth day of February Two Thousand and Twenty

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CMP(MD). No.3082 of 2019

in

CMA(MD).No.646 of 2009

R.Alagarsamy

... Petitioner/Appellant

Vs

The Commissioner,
Madurai City Municipal Corporation,
Aringnar Anna Maligai,
Alagarkovil Toad,
Madurai - 625 002.

...Respondent/Respondent

Prayer in CMP(MD). No.3082 of 2019 :-

Civil Miscellaneous Petition is filed under Order 41 Rule 19 of Civil Procedure Code, praying this Hon'ble Court to restore the above Civil Miscellaneous Appeal in C.M.A.(MD)No.646 of 2009, which was dismissed for non-prosecution dated 19.11.2018.

Prayer in CMA(MD).No.646 of 2009 :

Civil Miscellaneous Appeal is filed under section 173 of the Motor Vehicles Act, against the Judgment and decree dated 08.12.2008 and made in M.C.O.P.No.23 of 2002 on the file of the Principal Subordinate Judge, Madurai.

ORDER:-

Civil Miscellaneous Petition is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. S.M.Siddharthan, Advocate for the Petitioner and of Mr. R.Murali, Advocate for the respondent, this Court made the following order:

Heard both sides.

2 The reasons stated in the affidavit filed in support of this petition, are satisfactory.

3 Respondent has no serious objection.



4 Hence, this petition is allowed. Registry is directed to restore the C.M.A and call on 18.02.2020 "for arguments".

Sd/-

Assistant Registrar (CS-I)

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/ /2020

Sub Assistant Registrar(CS)

TO

- 1 The Principal Subordinate Judge,
Madurai.
- 2 The Commissioner,
Madurai City Municipal Corporation,
Aringnar Anna Maligai, Alagarkovil Toad,
Madurai - 625 002.

Copy to:

- 1 The Section Officer, VR, Section, (2COPIES)
Madurai Bench of Madras High Court, Madurai
- 2 The Section Officer, Judicial Section,
Madurai Bench of Madras High Court, Madurai
(TO LIST THE CASES ON 18.02.2020 FOR ARGUMENTS)

ORDER DATED : 04/02/2020

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RESTORED

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CMP(MD) . No.3082 of 2019

in

CMA(MD) .No.646 of 2009

Giving direction and etc.
as stated within.

SMA/12/02/2020/2P/6C