



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Third day of March Two Thousand and Twenty Two

PRESENT

WEB COPY

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMP(MD) No.1050 of 2022

in

C.M.A(MD) SR.No.51744 of 2018

1 CHANDRASEKAR

2 PICHAIMANI

3 ARUNKUMAR

4 GURUMOORTHY

5 GNANADEVI

(4th and 5th Minor Appellants

rep.by thro' their father/

natural guardian i.e., 1st Petitioner)

... PETITIONERS/ PETITIONERS/
APPELLANTS

Vs

1 S.RAJENDRAN

2 THE BRANCH MANAGER

SRI RAM GENERAL INSURANCE COMPANY LTD

CHINNA CHOKKIKULAM,

MADURAI 625 002.

... RESPONDENTS/ RESPONDENTS/
RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to RESTORE C.M.P. (MD) No. 4940 of 2019 in C.M.A.(MD) SR.No.51744 of 2018.

PRAYER IN C.M.A(MD) SR.No.51744 of 2018:

To allow the Appeal by modifying the judgment and decree of the Motor Accidents Claims Tribunal, Special District Judge, Madurai in MCOP No.328 of 2015 dated 17.04.2018 by ordering the 2nd respondent to pay the compensation amount to the Appellants and recover the same from the 1st Respondent.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.C.ASAITHAMBI, Advocate for the petitioners, the court made the following order:-

This petition is filed to restore C.M.P.(MD)No.4940 of 2019 in C.M.A(MD).SR.No.51744 of 2018.



2.The learned counsel for the petitioner submitted that due to over sight, the previous counsel has not paid the amount, namely, the deficit Court fee, resulted in rejection of the Civil Miscellaneous Petition.

3.Having satisfied with the reasons stated, this Civil Miscellaneous Petition is allowed and the above Civil Miscellaneous Petition is restored to file. Two weeks time is granted from today (03.03.2022), to pay the deficit Court fee, as already ordered.

sd/-
03/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
MADURAI.

COPY TO :
THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (1 COPY) **(SOFT COPY)** .

ORDER
IN
CMP(MD) No.1050 of 2022 in
C.M.A(MD)SR.No.51744 of 2018
Date :03/03/2022

USK/VR/SAR-I/09.03.2022/2P/3C