



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

Monday, the Twelfth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice N.MALA

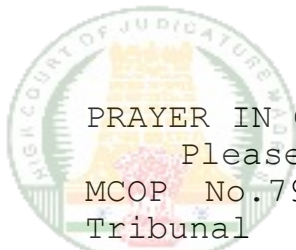
CMP(MD) No.12475 of 2019
in
CMA(MD)SR.No.44767 of 2014

- 1 DEVARAJ
- 2 MUTHUKUMAR
- 3 SUGANYA
- 4 MINOR.SARNYA
- 5 MINOR.MADHUBALA
- 6 MINOR. SANTHEESH
- 7 MINOR.SARASWATHI ...PETITIONERS/PETITIONERS/APPELLANTS
(MINOR PETITIONERS 4 TO 7 THROUGH THEIR
FATHER AND NEXT GUARDIAN 1st PETITIOENR HEREIN)

Vs

- 1 SADIQ
- 2 UNITED INDIA INSURANCE COMPANY LTD,
THOUGH ITS BRANCH MANAGER,
NO.50/1, S.N.HIGH ROAD,
FIRST FLOOR, TIRUNELVELI.
- 3 SANKARI
- 4 THE NEW INDIA ASSURANCE COMPANY LTD,
THROUGH ITS DIVISIONAL MANAGER,
2ND FLOOR, JEEVAN DEEP BUILDING,
NO.6, PARLIAMENT STREET,
NEW DELHI. ... 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 the MP(MD)No.1 of 2015 in CMA(MD)SR.No.44767 of 2014 dated 24.10.2016 on the file of this Honourable Court.



PRAYER IN CMA(MD) SR.No.44767 of 2014:

Pleased to allow this appeal and enhance the award amount in MCOP No.791 of 2010 on the file of the Motor Accident claims Tribunal (II Additional District court), Tirunelveli, dated 29.04.2013.

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 M/S.T.SELVAKUMARAN, Advocate for the petitioner and of MR.V.J.KUMARAVEL, Advocate for the 2nd respondent, the court made the following order:-

The present application is filed to restore M.P(MD)No.1 of 2015 in CMA(MD) SR.No.44767 of 2014 dated 24.10.2016.

2. Earlier, C.M.P(MD)No.9862 of 2019 in C.M.A(MD) SR.No.44767 of 2014 was filed to condone the delay of 1064 days in filing the restoration petition. This Court vide order, dated 14.10.2016 condoned the delay in filing the appeal subject to payment of Rs.1,000/- to the Legal Services Authority. The conditional order was not complied with and therefore, an application was filed to extend the time for complying with the order, dated 14.10.2016. This Court vide order, dated 22.11.2019 extended the time for payment of cost and further ordered that the interest would be waived for the delay period in filing the appeal and the restoration petition.

3. The learned counsel for the respondents states that he has no objection to the application being allowed.

4. In the light of the submission of the learned counsel for the respondents, the petition is allowed.

sd/-

12/12/2022

/ TRUE COPY /

/12/2022

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

TO
THE II ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

COPY TO
THE OFFICER INCHARGE,
LEGAL SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CMP(MD) No.12475 of 2019
in

CMA(MD) SR.No.44767 of 2014

Date :12/12/2022

SN

<https://www.mca.gov.in/> 4/21.12.2022/2P/3C