



CMP(MD). No.9943 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Eighth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD). No.9943 of 2022

in

CMA No.1063 of 2001

P.Muthu (Died)

1.S.Pandian

2.Paul Thai

... Petitioners/proposed Appellants

Vs

1 The Proprietor Mr. Madhuswaran

M/s.Golden Big Service

Bangalore.

2 The Branch Manager

M/s.National Insurance Company Ltd.

Thiruchengodu - 637 211.

... Respondents/Respondents

Prayer in CMP. 9942/ 2022 :-

This Civil Misscellaneous Petition filed under Order41 , Rule 19 of CPC, to set aside the exparte dismissal order passed on 02-02-2011 and restore the civil miscellaneous appeal in No.1063 of 2001 and decide the same on merits and thus

render justice.

<https://www.mhc.tri.gov.in/judis>



CMP(MD). No.9943 of 2022

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Prayer in CMA. 1063/ 2001 :

This Civil Miscellaneous Appeal has been filed under section 30 of workmen compensation Act seeking to set aside the award in WC No.226/1998 on the file of the Deputy Commissioner of labour, Madurai in so far as it relates to diallowing the claim against the Insurance Company/ 2nd respondent.

ORDER:- This Civil Misscellaneous 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 R. Aravindan, Advocate for the Petitioner and of R. Rajamani Advocate for the 2nd respondent(s), this Court made the following order:

The above application has been filed to set aside the exparte dismissal order dated 02.02.2011 and restore the appeal on file.

2. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the second respondent.



CMP(MD). No.9943 of 2022

3. Considering the reasons assigned, this Civil Miscellaneous Petition is allowed and the Registry is directed to restore the appeal on file and post the same on 29.08.2023 finally.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/09/2023

Sub Assistant Registrar(CS)

TO

DEPUTY COMMISSIONER OF LABOUR, MADURAI

Copy to:

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



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CMP(MD). No.9943 of 2022

ORDER DATED : 08/08/2023

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ORDER
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Giving direction and etc.
as stated within.

DL/(05.09.2023)/ 4P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.