



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the First day of March Two Thousand and Twenty Three
PRESENT

WEB COPY

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) . No.1251 of 2023
in
CMA(MD)168 OF 2019

M/s.Untied India Insurance Company Limited,
No.280 Main Road 1st Floor
Mettupalayam-641 301.

... Petitioner/Appellant

Vs

- 1 Nirmala
- 2 Banumathi
- 3 Ruba
- 4 Jeganathan

... Respondents/Respondents

Prayer in CMP(MD) . No.1251 of 2023:-

This Civil Miscellaneous Petition filed under order 41 Rule 19 and 151 C.P.C., to set aside the order dated 26.06.2019 in CMA (MD).No. 168 of 2019 and restore the appeal which was dismissed for default and render justice.

Prayer in CMA(MD)No.168 of 2019:-

This Civil Miscellaneous Appeal filed under section 173 of Motor Vehicle Act., against the Judgment and Decree passed in MCOP No.395 of 2013 dated 24.11.2015 on the file of the Motor Accident Claims Tribunal cum Special District Court, Trichirappalli.

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.Jawahar Ravindran, Advocate for the Petitioner and of Mr.J.Bala Meenakshi For RR1 to 3, this Court made the following order:

On the side of the petitioner, it is stated that there is prayer against R4 and that there is no dispute regarding the



CMP(MD).



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liability in the appeal and the case against T4 is to be with.

2. Memo filed and recorded.

3. Reasons stated in the petition are satisfactory. The respondents has no serious objection.

4. Hence, this petition is allowed and the case against R1 to R3 is hereby restored.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

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TO

The Special District Judge/
Motor Accident Claims Tribunal,
Trichirappalli.

Copy to:

1.The Section Officer,
V.R Records,
Madurai Bench of Madras High Court, Madurai

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

ORDER DATED : 01/03/2023

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ORDER

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CMP(MD) . No.1251 of 2023

in

CMA(MD) 168 OF 2019

Giving direction and etc.
as stated within.

RD (15/03/2023) 2P 4C