



CMP(MD) No.4973 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Wednesday, the Twenty Sixth day of July Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice P. VADAMALAI
CMP(MD) No.4973 of 2023
in
CMA(MD) SR No.50511 of 2015

1 UMA MAHESWARI

2 PETCHIAMMAL

... Petitioners / Appellants

Vs

1 MURUGAN

SOODAMANI(DIED)

2 UNITED INDIA INSURANCE COMPANY LTD,
THROUGH ITS BRANCH MANAGER,
NO.50/1, S.N.HIGH ROAD,
1ST FLOOR,
TIRUNELVELI.

3 TAMILNADU STATE TRANSPORT CORPORATION LTD,
THROUGH ITS MANAGING DIRECTOR,
BYE PASS ROAD,
MADURAI.

4 S.SORNAKALA

... Respondents / Respondents

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 1614 days in restoring the CMP(MD) No. 1644 of 2016 in CMA(MD) SR No.50511 of 2015, which was dismissed on 24.10.2016.



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Prayer in CMA(MD) SR No.50511 of 2015:

WEB COPY To allow this appeal consequently enhance the award amount in M.C.O.P. No.678 of 2010 on the file of the Motor Accident Claims Tribunal, (III Additional District Court) Tirunelveli dated 26.11.2014.

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 petitioners, the court made the following order:-

This Petition is filed to condone the delay of 1614 days in restoring the C.M.P (MD)No.1644 of 2016 in C.M.A(MD)SR.No.50511 of 2015, which was dismissed on 24.10.2016.

2. Heard the learned counsel appearing for the petitioners. Notice served to the second and third respondents and their names were also printed in the cause list.

3. The learned counsel for the petitioners filed a memo stating that the first and fourth respondents remained ex-parte before the Court below and therefore notice to the first and fourth respondents may be dispensed with. The said memo is recorded.

4. I have perused the affidavit filed in support of this application and being satisfied with the reasons stated in the affidavit, the delay of 1614 days in filing the Civil Miscellaneous Appeal is condoned. Accordingly, this Civil Miscellaneous Petition is allowed.

5. Registry is directed to number the restoration petition, if it is otherwise in



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order and list the same on 03.08.2023. Further, it is made clear that the petitioners

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are not entitled for any interest for the delay period, if the appeal is allowed.

sd/-
26/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD

To

The III Additional District Judge,
Motor Accident Claims Tribunal, Tirunelveli.

Copy to:

1.The Sub Assistant Registrar,
AE Section,
Madurai Bench of Madras High Court, Madurai.

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

ORDER
IN
CMP(MD) No.4973 of 2023
in
CMA(MD) SR No.50511 of 2015
Date :26/07/2023

ED/MR/SAR- (01/08/2023) 3P / 4C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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