



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

Thursday, the Sixteenth day of February Two Thousand and Twenty
Three

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PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP(MD) No.10324 of 2018
IN
CMA(MD) No.SR26723 of 2017

1 DURAI
2 RAJAKUMARY

... PETITIONER/APPELLANTS

Vs

1 LAVANYAA
2 M/S.NEW INDIA ASSURANCE CO.LTD.,
DIVISIONAL OFFICER, JEROME BUILDING,
FORT STATION ROAD, TRICHY
3 MUTHUSELVAM
4 M/S.NATIONAL INSURANCE CO.LTD.,
DIVISIONAL OFFICE,
BHARATHIDASAN SALAI,
CANTONEMENT, TRICHY.

... 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 to delay of 532 days in filing in CMA.(SR) No.26723 of 2017 and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER IN CMA(MD) No.SR26723 of 2017:-

To allow the appeal against in M.C.O.P.No.1691 of 2012 on the file of the II Additional District Judge, Tiruchirappalli award dated 10.03.2016.

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 not appeared for the petitioner either in person or through by an advocate and M/S. N.DILIPKUMAR, Advocate



for R2 and M/S.V.J.KUMARAVEL, Advocate for R4 the court following order:-

This is a petition filed to condone the delay of 532 days in filing the Civil Miscellaneous Appeal.

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2. The learned counsel for the petitioner on earlier occasions sought time to take steps to serve notice on the unserved respondents 1 and 3. But it seems that no steps have been taken till date. When the matter was posted on 14.02.2023, the learned counsel was absent and so the matter is listed today(16.02.2023) under the caption for dismissal. Even today, the learned counsel for the petitioner is absent.

3. Hence, it is clear that the petitioner is not interested in prosecuting the petition. Accordingly, this petition is dismissed for non-prosecution.

sd/-
16/02/2023

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/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

THE II ADDITIONAL DISTRICT JUDGE, TIRUCHIRAPPALLI.

ORDER
IN
CMP(MD) No.10324 of 2018
IN
CMA(MD) No.SR26723 of 2017
Date :16/02/2023

NA-VA/BUC/SAR-4/22.02.2023/2P/2C