



CMP(MD). No.15760 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Fourth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

CMP(MD). No.15760 of 2023

in

CMA(MD)No.489 of 2017

1. B.Josephin Amali
 2. J.Jeyasipriya
 3. Minor J.Jeyasiyola
- ... Petitioners/ Appellants

Vs

- 1 M.Karuppaiah
 - 2 The Branch Manager
The United India Insurance Company Limited
No.66 and 67 Aranmanai Vasal,
Sivagangai Naagar,
Sivagangai District.
- ... Respondents/ Respondents

Prayer :-

Civil Miscellaneous Petition Under Order XLI Rule 19 of CPC to set aside the order of dismiss for default dated 23.12.2021 made in CMA(MD). No.489 of 2017 and restore the same, which was dismissed for default, on the file of this Honourable Court and thus render justice.

Prayer in CMA(MD).489/2017:-

Civil Miscellaneous Appeal filed Under Section 173 of Motor Vehicles Act 1988,to call for the records from the Motor Accident Claims Tribunal,Sivagangai (District Court,Sivagangai)dated 31.08.2016 made in M.C.O.P.No.136 of 2012 and enhance the award compensation amount by allowing this Civil Miscellaneous

Appeal.

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



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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 M/s. P.Selvakamatchi, Advocate for the Petitioners and of M/s.I.Suthakaran For the 2nd respondent, this Court made the following order:

This petition is filed to set aside the order of dismiss for default dated 23.12.2021 made in C.M.A.(MD)No.489 of 2017.

2. Heard Both sides.

3. Being satisfied with the reasons stated in the accompanying affidavit, this petition is allowed. Registry is directed to restore the Civil Miscellaneous Appeal.

4. Post the main case on 08.12.2023.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)

TO

1. The Motor Accident Claims Tribunal,
Sivagangai(District Judge),
Sivagangai.

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

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



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

ORDER DATED : 24/11/2023
HEARING DATE : 08/12/2023

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RESTORED

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CMP(MD). No.15760 of 2023

in

CMA(MD)No.489 of 2017

Giving direction and etc.
as stated within.

KB(07.12.2023) 3P 5C