



CMP(MD) No.15603 of 2023

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

Monday, the Twentieth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CMP(MD) No.15603 of 2023

AND

CMA(MD) No.857 of 2023

THE ASSISTANT DIRECTOR
SURVEY AND LAND RECORDS,
VIRUDHUNAGAR.

... PETITIONER/PETITIONER/PETITIONER

Vs

1 P.MADASAMY

2 S.MANIRAJ (DRIVER)

3 SUYAMBU DURAI ... RESPONDENTS/RESPONDENTS/RESPONDENTS

Civil Miscellaneous petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to extend further more time of 90 days the interim order granted by this Honourable Court by dated 14.09.2023 in CMP(MD). No.12159 of 2023 in CMA(MD). No.857 of 2023.

PRAYER in CMP(MD)No.12159 of 2023:

To stay the operation of the judgement and decree passed in MCOP.No.183 of 2016 dated 24.09.2019 on the file of the Motor Accident Claims Tribunal Chief Judicial magistrate Thoothukudi.



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Prayer in CMA(MD). 857/ 2023 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the fair and decreetal order in MCOP.No.183 of 2016 dated 24.09.2019 on the file of the Motor Accident Claims Tribunal (Chief Judicial magistrate) Thoothukudi.

ORDER : This Civil Miscellaneous 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.N.MUTHU VIJAYAN, Special Government Pleader for the petitioner and of Mr.T.THIRUMURUGAN, Advocate for the 1st respondent and Mr.M.SARAVANAN, Advocate on behalf of the 2nd Respondent, the Court made the following order:-

This Civil Miscellaneous Petition is filed to extend the interim order granted by this Court in CMP.(MD) No.15603 of 2023 in CMA(MD) No.857 of 2023, dated 14.09.2023 further for a period of 90 days.

2.It is seen from the order passed on 14.09.2023 that a conditional order was passed granting stay on condition to deposit 25% of the total award amount within a period of six weeks from the date of receipt of a copy of that order, failing which it was ordered that the stay granted shall stand dismissed automatically.

3.In the said circumstances, this petition filed seeking extension of 90 days for depositing the amount cannot be entertained. Accordingly, this Civil Miscellaneous Petition is dismissed.



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4.Post the main appeal after three weeks for final disposal. Meanwhile,
Registry is directed to call for records from the Court below.

sd/-
20/11/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MM

TO

THE CHIEF JUDICIAL MAGISTRATE
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
THOOTHUKUDI.

ORDER
IN
CMP(MD) No.15603 of 2023
AND
CMA(MD) No.857 of 2023
Date :20/11/2023

SS/JGB/SAR- /22/11/2023/3P/2C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023