



CMP(MD) No. 3444 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16-12-2024

CORAM

THE HONOURABLE MRS JUSTICE R. KALAIMATHI

CMP(MD) No. 3444 of 2022

in

C.M.A.(MD)No.373 of 2009

K.V.ASHOK KUMAR
S/O.VADIVEL,
NO.4, HIGHWAYS COLONY,
SUNDARARAJ NAGAR, TRICHY-20.

PETITIONER(S)

Vs

S.PUSHPAM
W/O.SONAIMUTHU,
NO.25, MUTHIAH PILLAI STREET,
KUCHANUR POST, UTHAMAPALAYAM TALUK,
THENI DISTRICT-625 515. AND 2 OTHERS

RESPONDENT(S)

For Petitioner(s) : M/S.P.JESSI JEEVA PRIYA, Advocate
For Respondent(s) : M/S. J.S.MURALI, Advocate for R2

ORDER

This petition is filed to set aside the order of dismissal for non-prosecution dated 19.04.2021 passed in the above appeal and to restore the same on file.

2. Heard learned counsel for the petitioner and the second respondent. The learned counsel for the second respondent has objections in allowing this restoration petition.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition and to afford an opportunity to the petitioner, this petition is allowed and the



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above appeal is restored on condition to pay costs of Rs.1000/- to the credit of Cancer Institute (WIA), Gandhi Nagar Canal Bank Road, Adyar, Chennai - 20 (payable in S.B.A/c.No.149710011000002, Andra Bank, Madhya Kailash Branch, Cancer Institute (WIA) Campus, Sardar Patel Road, Chennai - 36, Branch Name and Code:1497, MICR No.600011049, IFSC Code:UBIN0814971), within a period of two weeks from the date of receipt of a copy of this order. Failing which, this petition shall stand automatically dismissed without any further reference to this Court.

4. The learned counsel for the petitioner is directed to serve copy of the typed set of papers on the learned counsel for the second respondent.

sd/-
16/12/2024

/ TRUE COPY /

/12/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

apd
TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL /
ADDITIONAL DISTRICT JUDGE (FAST TRACK COURT NO.2),
TRICHY.

COPY TO

THE OFFICER INCHARGE, CANCER INSTITUTE (WIA),
GANDHI NAGAR CANAL BANK ROAD, ADYAR, CHENNAI - 20.



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CMP(MD) No. 3444 of 2022

ORDER
IN
CMP(MD) No.3444 of 2022
IN
CMA(MD) No.373 of 2009
Date :16/12/2024

RS/VR/SAR-(27.12.2024) 3P 3C
Madurai Bench of Madras High Court is issuing
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