



CMP(MD). No.8184 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Fifth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

C.M.P(MD). No.8184 of 2024

in

C.M.P.(MD). No. 5405 of 2019

in

C.M.A.(MD).SR.No.21198 of 2019

M/s. United India Insurance Co. Ltd.,
Divisional Office,
Promenade Road,
Cantonment, Trichy,
Trichy District.

... Petitioner/Appellant

Vs

1. R.Selvaraj

S.David Thomas Paneerselvam (Died)

2. De.Jyaseeli

... Respondents/Respondents



CMP(MD). No.8184 of 2024

Prayer in C.M.P(MD). No.8184 of 2024 :-

This Petition is filed Under Order 41 Rule 19 of Civil Procedure Code praying to set aside Dismissal order dated 29.07.2019 and restore this C.M.P(MD).No.5405 of 2019 and permit this petitioner/appellant to proceed further.

Prayer in C.M.P.(MD). No. 5405 of 2019 :-

This Petition is filed Under Section 173(1) of Limitation Act to condone the delay of 315 days in filing the Civil Miscellaneous Appeal in C.M.A.(MD). SR.No.21198 of 2019 against fair and decreetal order dated 28.04.2018 made in M.C.O.P.No.598 of 2015 on the file of the Motor Accident Claims Tribunal (Special Sub Court), Tiruchirappalli.

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 Mr. B.Rajesh Saravanan, Advocate for the Petitioner and of Mr. N.Sudhagar Nagaraj, Advocate for the respondent No.1 herein, this Court made the following order:

This petition has been filed to set aside the dismissal order, dated 29.07.2019 and restore CMP(MD) No.5405 of 2019.

2.In CMP(MD) No.5405 of 2019, to condone the delay of 315 days in filing the appeal, cost of Rs.1,000/- was ordered by this Court on 29.07.2019 and the same was paid.



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3.Hence, there is no cost required to allow this petition. This petition is allowed and CMP(MD) No.5405 of 2019 is restored on file.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/08/2024

Sub Assistant Registrar
(CS - I/ II / III / IV)

TO

The Special Sub Judge,
The Motor Accident Claims Tribunal
Tiruchirappalli.

Copy to:

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



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ORDER DATED : 05/07/2024

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RESTORATION

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C.M.P(MD). No.8184 of 2024
in
C.M.P.(MD). No. 5405 of 2019
in
C.M.A.(MD).SR.No.21198 of 2019

RE (24.08.2024) 4P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.