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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Nineteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P.DHANABAL

CMP(MD). No.216 of 2022

in

CMA(MD).1153 of 2011

N.Syambu Kasi

... Petitioner/ Appellant

Vs

1 The Managing Director,
SETC,
Pallavan House,
Anna Salai, Chennai.

... Respondent/Respondent

Prayer :-

Civil Miscellaneous petition filed Under Order 41 Rule of 19 r/w 151 of CPC to restore the civil miscellaneous appeal in CMA(MD).1153 of 2011 which was dismissed for default on 31-08-2017.

Prayer in CMA(MD).1152 of 2011 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act,1988, challenging the award dated 23.04.2010 made in MCOP Nos.302 of 2008 on the file of Motor Accident Claims Tribunal cum Additional Subordinate Court, Thanjavur.

ORDER:- This Civil Miscellaneous petition is 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.P.Ganapathisubramanian, Advocate for the Petitioner and of Mr.M.Prakash Advocate for Respondent, this Court made the following order:

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



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This petition has been filed to restore the Civil Miscellaneous Appeal which was dismissed for default on 31.08.2017.

2. It is represented by the learned counsel for the petitioner that the learned counsel for the petitioner was engaged in another Court and he was not able to appear before this Court.

3. The learned counsel for the respondent has not filed any counter.

4. Considering the reasons stated in the affidavit in support of this petition, and considering the facts and circumstances of this case, this petition stands allowed.

5. Registry is directed to list the appeal on **27.02.2024**.

Sd/-

Assistant Registrar(CO)

// True Copy //

/02/2024

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

TO

1. The Additional Subordinate Judge/
Motor Accident Claims Tribunal, Thanjavur.



Copy to:

- 1) The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
- 2) The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 19/02/2024

NEXT DATED : 27/02/2024

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RESTORATION ORDER
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CMP(MD). No.216 of 2022
in
CMA(MD).1153 of 2011

Giving direction and etc.
as stated within.

MK/23.02.2024 3P 5C

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