



CMP(MD) No.11196 of 2023

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

Thursday, the Eighteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.11196 of 2023
in
CROS.OBJ.(MD)SR.48643 of 2023

1 KALIMUTHU

2 K.MUTHUPILLAI,

... PETITIONERS/CROSS APPELLANTS

Vs

1 THE ORIENTAL INSURANCE COMPANY LIMITED,
A.A.COMPLEX, 1ST FLOOR,
NO.159, KUMARAN ROAD, THIRUPPUR.

2 NALLA PONNU,

3 MINOR.SANTHIYA,

4 MINOR.SATHIYABRABHU,

5 S.SATHEESHKUMAR,

6 K.VIRUMANDI,

7 THE MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
BRANCH OFFICE, CHOTTALAKSHMI COMPLEX,
THIRUNAGAR, MADURAI

... RESPONDENTS/RESPONDENTS



CMP(MD) No.11196 of 2023

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Condone the delay of 2776 days in filing this Cross Appeal before this Honourable Court in CMA(MD). No.1669 of 2013 filed against the Judgment and Decree in MCOP No.25 of 2011 on the file of the Motor Accident Claim Tribunal cum Additional District and Session Court, Periyakulam dated 15.09.2012 and thus render justice.

PRAYER IN CROS.OBJ(MD)SR.No.48643/2023:

To prefer this Cross Appeal before this Hon'ble Court in CMA(MD)No.1669 of 2013 filed against the judgement and Decree in MCOP.No.25 of 2011 on the file of the Motor Accident Claims Tribunal cum Additional District and Sessions Court, Periyakulam dated 15.09.2012 and the appeal notice was served on the Cross Appellant on 11.11.2013.

Prayer in CMA(MD). 1669/ 2013 :

Pleased to set aside the order of the Tribunal of MACT cum Additional District Court and Sessions Court, Periakulam made in MCOP.No.25 of 2011 dated 15.09.2012 and allow the appeal with costs.

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.V.THIRUMAL, Advocate for the petitioner and of Mr.C.JAWAHAR RAVINDRAN, Advocate on behalf of the 1st Respondent and Mr.K.RAVI, Advocate for the Respondents No.2 to 4 and Mr.A.ILANGO, Advocate for the 7th Respondent and none appeared for the 5th Respondent side either in person or by an advocate, the court made the following order:-

Considering the reasons stated in the affidavit filed in support of this petition, this Court is inclined to allow this petition on payment of cost.

2. This petition is allowed on condition that the petitioners shall pay the cost of Rs.3,000/- (Rupees Three Thousand only) to the credit of Women Advocates



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Association, Madurai Bench of Madras High Court (Account No:6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai) for the purpose of maintaining Creche, on or before 05.06.2024.

3. On such payment being made, Registry is directed to number the Cross Objection and post these matters on 05.06.2024.

4. The Cross Appellants are directed to take steps to serve copies to the respondents.

sd/-
18/04/2024

/ TRUE COPY /

/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA
TO
THE ADDITIONAL DISTRICT AND SESSION JUDGE,
MOTOR ACCIDENT CLAIM TRIBUNAL, PERIYAKULAM.

COPY TO:

1 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

2 THE OFFICER INCHARGE,
WOMEN ADVOCATES ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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CMP(MD) No.11196 of 2023

ORDER
IN
CMP(MD) No.11196 of 2023
in
CROS.OBJ.(MD)SR.48643 of 2023
Date :18/04/2024

SA/JGB/SAR. /26.04.2024/4P/4C

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