

CMP(MD). No.8142 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Tenth day of September Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MS. JUSTICE R. POORNIMA

CMP(MD). No.8142 of 2025

in

CMA(MD)No.997 of 2012

M/s.The New India Assurance Company Ltd.,
Divisional Officer,
22B Kamarajar Salai,
Madurai,

Through its Divisional Manager

... Petitioner/ Appellant

Vs

1 B.Sampooranam

2 B.Srivathsan

3 M/s.Tamil Nadu State Transport COrporation Ltd.,
Bye-pass Road,Collectorate Post,
Dindigul,
Through its Managing Director

4 S.Kanchana

5 V.B.Salit

6 M/s.Oriental Insurance Co.Ltd.,
Divisional Office,
Gramodhyok Building,
No.8,Thirupparankundram Road.,
Madurai.

... Respondents/ Respondents



CMP(MD). No.8142 of 2025

Prayer in CMP(MD) No.8142 of 2025:-

This Civil Miscellaneous petition is filed under Order 49 Rule 19 of C.P.C., to set aside the order dated 15.11.2023 made in CMA(MD). No.997 of 2012 and restore the same.

Prayer in CMA(MD)No.997 of 2012:

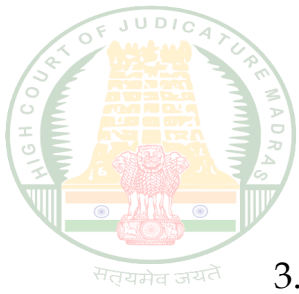
This Civil Miscellaneous Appeal is filed under section 173 of the Motor Vehicles Act, to set aside the decree and judgment dated 14.10.2009 made in MCOP No.194 of 2004 on the file of the Motor Accidents Claims Tribunal(3rd Additional District Court, PCR), Madurai and be pleased to dismiss the claim against the Appellant.

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.Vijay Karthikeyan, Advocate for the Petitioner and of Mr.C.M.Mari Chelliah Prabhu, Advocate For the 1st & 2nd respondents, Mr.M.Prakash, Advocate for 3rd Respondent, Mr.K.Bala Subramanian, Advocate for the 6th Respondent, this Court made the following order:

This application in CMP(MD)No.8142 of 2025 has been filed to restore the Civil Miscellaneous Appeal in C.M.A.(MD)No.997 of 2012 on the file of this Court which was dismissed for default on 15.11.2023.

2. It is seen that in filing this application there was a delay of 56 days and the delay had been condoned on 18.12.2024 in C.M.P.(MD)No.2514 of 2024.



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3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition for restoration is ordered and the C.M.A.(MD)No.997 of 2012 is restored to file.

4. Registry is directed to restore the C.M.A.(MD)No.997 of 2012 and list the matter for hearing on 26.09.2025.

5. The learned counsel for the petitioner filed a memo stating that they have no claim as against R4 and R5 and therefore, he seeks notice may be dispensed with as against R4 and R5. Memo is recorded

Sd/-

Assistant Registrar(CS-I)

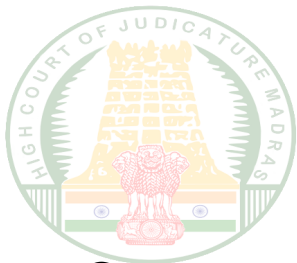
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/ /2025

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

TO

The III Additional District Judge/ PCR
Motor Accidents Claims Tribunal, Madurai.



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

ORDER DATED: 10/09/2025

POST ON :26.09.2025

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ORDER

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CMP(MD). No.8142 of 2025

in

CMA(MD)No.997 of 2012

Giving direction and etc.

as stated within.

RA - (15.09.2025) 4P/ 3C

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