



CMP(MD) No.18870 of 2024

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

Monday, the Sixth day of January Two Thousand and Twenty Five

PRESENT

The HONOURABLE MRS. JUSTICE R. KALAIMATHI

CMP(MD) No.18870 of 2024

IN

CMA(MD) No.475 of 2019

K.THIRUMALAI KUMAR,

... Petitioner / Appellant

Vs

1 S.MANIMEGALAI,

2 M/S. UNITED INDIA INSURANCE COMPANY LIMITED,
REPRESENTED THROUGH ITS BRANCH MANAGER,
443, PERIYAKULAM ROAD, THENI POST,
THENI DISTRICT.

... Respondents/ Respondents

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the order dated 09.02.2023 made in CMA(MD).No. 475/2019 on the file of this Honourable Court and Restore the same thus render justice.

Prayer in CMA(MD). 475/ 2019 :

This Civil Miscellaneous appeal is filed under section 173 of the Motor Vehicles Act, against the Judgement and decree, dated 11.12.2018, made in M.C.O.P.No.26 of 2014, on the file the Motor Accident Claims Tribunal – Judicial Magistrate, Theni.

ORDER : This 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



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M/s.M.HARIHARAN, Advocate for M/S.P.R.PRITHIVIRAJ, Advocate for the petitioner and of No appearance for the R2 the court made the following order:-

This petition is filed to set aside the dismissal order dated 09.02.2023 in the above appeal and to restore the above appeal.

2. Heard the learned counsel for the petitioner/appellant.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition shall be allowed on condition of payment of costs of Rs.500/- payable in favour of Cancer Institute (WIA), Gandhi Nagar Canal Bank Road, Adyar, Chennai - 20 (payable in S.B.A/c.No.149710011000002, Union Bank of India, 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.

sd/-
06/01/2025

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07 / 01 / 2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD



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TO சென்னை

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The Judge,
Motor Accident Claims Tribunal – Judicial Magistrate,
Theni.

COPY TO

The Officer Incharge,
Cancer Institute (WIA),
Gandhi Nagar Canal Bank Road,
Adyar, Chennai – 20

ORDER
IN
CMP(MD) No.18870 of 2024
IN
CMA(MD) No.475 of 2019
Date :06/01/2025

PSP/ /SAR /07.01.2025/ 3P/ 3C

Madurai Bench of Madras High Court is issuing certified
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