



C.M.P.(MD)No.10597 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 28.07.2025

CORAM:

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

C.M.P.(MD)No.10597 of 2025
in
C.M.A.(MD)SR.No.53365 of 2025
and
C.M.A.(MD)SR.No.53365 of 2025

N.Mohan

... Petitioner

Vs.

1.R.Isaac Mohan Sam

2.The Manager,
National Insurance Company Limited,
Plot No.3, Vaigai Colony,
80 Feet road, Anna Nagar,
Madurai-625020.

...Respondents

Prayer in C.M.P.(MD)No.10597 of 2025 : The Civil Miscellaneous Petition has been filed under Section 173(1) of the Motor Vehicles Act, to condone the delay of 148 days in filing the above civil miscellaneous appeal.

Prayer in C.M.A.(MD)No.SR53365 of 2025 : The Civil Miscellaneous Appeal has been filed under Section 173 of the Motor Vehicles Act, to set



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aside and modify the fair order dated 04.10.2024 in M.C.O.P.No.287 of 2022 on the file of Motor Accidents Claims Tribunal / Special Sub Court, Madurai.

(in both cases)

For Petitioner : Mr.N.Sudhagar Nagaraj

COMMON ORDER

The Civil Miscellaneous Petition has been filed seeking orders to condone the delay of 148 days in filing the afore said appeal.

2. By the order dated 09.07.2025, this Court ordered notice to the respondents and issued the following directions.

“2.Batta in 3 working days. Failing which, the petition shall stand dismissed automatically without any further reference to Court. Once batta is paid, Registry is directed to issue process on the same day. Since this Court ordered notice through Court and Post, the petitioner is directed to pay batta of Rs.35/- each.”

3. In spite of the above said order, batta was not paid within the



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time. Therefore, the Civil Miscellaneous Petition stands dismissed with liberty to the petitioner to file restoration petition. Consequently, C.M.A. (MD)SR.No.53365 of 2025 stands rejected at the SR stage itself.

28.07.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1.The Special Subordinate Judge,
Motor Accident Claims Tribunal,
Madurai.



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K.K.RAMAKRISHNAN,J.

csn

Order made in
C.M.P.(MD)No.10597 of 2025
in C.M.A.(MD)SR.No.53365 of 2025
and C.M.A.(MD)SR.No.53365 of 2025

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