



CMP(MD). No.10332 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Twenty Eighth day of August Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CMP(MD). No.10332 of 2025

in

C.M.A(MD)No. 4 of 2020

Murugan Alias James(Died)

1. Umadevi
2. Muthu Meenakshi
3. Pitchaiammal

... Petitioners/ Appellants

Vs

- 1 The Proprietor,
Luke Exports, Padanthalu Moodu,
Vilavancode Taluk, Kanyakumari District.
- 2 The Manager,
Oriental Insurance Company Limited, Micro
Office, Lakshmi Orcade, Kavanadu Post,
Kollam, Quilon Kerala 690 103.

... Respondents/ Respondents

Prayer :-

Civil Miscellaneous Petition filed under order 41 Rule 19 of CPC., to set-aside the Order passed by this Honourable Court dated 03.02.2023 and restore the appeal in CMA(MD)No.4 of 2020.



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Prayer in C.M.A(MD)No. 4 of 2020:-

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This Civil Miscellaneous Appeal is filed under section 173 of the Motor Vehicles Act, to enhance the award, dated 26.06.2018, made in M.C.O.P.No.1536 of 2015, on the file of the Motor Accident Claims Tribunal-Chief Judicial Magistrate, Madurai.

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. S. Sukumar, Advocate for the Petitioners and of Mr. E. Chandrasekaran, Advocate for the 2nd respondent, this Court made the following order:

The above petition has been filed seeking orders to restore the appeal, which was dismissed for default on 03.02.2023.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the second respondent.

3. It is evident from the records that the petitioner's earlier petition in CMP (MD)No.12454 of 2024 to condone the delay in filing the restoration petition was allowed on cost.



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4. Considering the reasons assigned, this Court is inclined to set aside the order dated 03.02.2023. Accordingly, this petition is ordered and the Registry is directed to restore the appeal on file and post the same on 15.09.2025.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2025

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

TO

The Motor Accident Claims Tribunal-Chief Judicial Magistrate,
Madurai.

Copy to:

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

ORDER DATED : 28/08/2025

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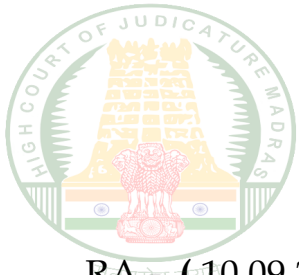
ORDER

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in

C.M.A(MD)No. 4 of 2020



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RA - (10.09.2025) 4P/3C

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