

C.M.P.(MD)No.9574 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 23.07.2025

CORAM:

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

C.M.P.(MD)No.9574 of 2025
in
C.M.A.(MD)SR.No.70178 of 2024
and
C.M.A.(MD)SR.No.70178 of 2024

K.Varadha Vinayaga Moorthy

... Petitioner

Vs.

1.V.M.N. Muthaiah Nadar and Sons
through its Partner,
No.32, Amman Sannathi,
Madurai.

2.The Oriental Insurance Company Ltd.,
through its Divisional Manager,
No.106, Thirupparangundram Road,
Madurai.

...Respondents

Prayer in C.M.P.(MD)No.9574 of 2025 : The Civil Miscellaneous Petition has been filed under Section 173(1) of Motor Vehicle Act, to condone the delay of 4621 days in filing the appeal against the award passed by the Motor Accident Claims Tribunal / Sub Court, Virudhunagar in M.C.O.P.No.31 of 2007.



C.M.P.(MD)No.9574 of 2025

Prayer in C.M.A.(MD)No.SR70178 of 2024 : The Civil Miscellaneous Appeal has been filed under Section 173 of the Motor Vehicles Act, against the order dated 31.10.2021 passed by the Motor Accident Claims Tribunal / Sub Court, Virudhunagar in M.C.O.P.No.31 of 2007.

(in both cases)

For Petitioner : Mr.T.Lenin Kumar

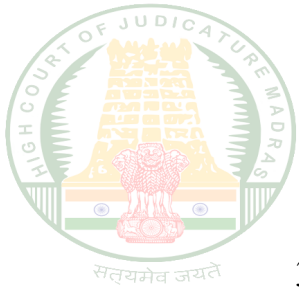
For Respondents : Mr.C.Jawahar Ravindran for R2

COMMON ORDER

The Civil Miscellaneous Petition has been filed seeking orders to condone the delay of 4621 days in filing the afore said appeal.

2. By the order dated 02.07.2025, this Court ordered notice to the first respondent 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.”



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3. In spite of the above said order, batta was not paid within the time. Therefore, the Civil Miscellaneous Petition stands dismissed with liberty to the petitioner to file restoration petition. Consequently, C.M.A. (MD)SR.No.70178 of 2024 stands rejected at the SR stage itself.

23.07.2025

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

To

1.The Subordinate Judge,
Motor Accident Claims Tribunal,
Virudhunagar.



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C.M.P.(MD)No.9574 of 2025

K.K.RAMAKRISHNAN,J.

csn

Order made in
C.M.P.(MD)No.9574 of 2025
in C.M.A.(MD)SR.No.70178 of 2024
and C.M.A.(MD)SR.No.70178 of 2024

Dated : 23.07.2025