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CMP(MD) NO. 16846 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **28-10-2025**
CORAM
THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 16846 of 2024
IN
CMA(MD) SR NO. 26572 OF 2024

1. Sundaravalli
W/o. Karuppaiah
D.No.5-3-127
Nadar Street
Singampunari
Thiruppathur Taluk
Sivagangai District.

Petitioner(s)

Vs

1. Thangapandian
S/o. R.M.Jayaraman
No.5/2
Indira Nagar
Chettikulam
Oomatchikulam
Alathur Road
Madurai.

2. The Branch Manager
New India Assurance Company Limited



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CMTS Bhavan
7 Feet Road
Ellis Nagar
Madurai.

3. Karuppaiah
Karuppayee Ammal Compound
Vadakku Vasal
Selliyanman Koil Back Side
Kalappur
Thiruppathur Taluk
Sivagangai District.

4. Thavamani
S/o. Karuppaiah
D.No.5-3-127
Nadar Street
Singampunari
Thiruppathur Taluk
Sivagangai District.

(The Appeal is given up against the respondent No.3 and 4)

Respondent(s)

For Petitioner(s): Mr.N.C.Ashok Kumar

For Respondent(s):
M/s. D. Malaichamy

A. Ilangovan

M.Maruthupandian

For R2 Sr. 43711 Dt. 24.10.2025



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Court Notice

R1 - Exparte (vide Court Order Dt.25.09.2025)

R3 & R4 - Given Up (vide In Eb & Batta)

Pvt. Notice - Proof Not Filed

Prayer: Civil Miscellaneous Petition filed under Section 5 of the Limitation Act to condone the delay of 131 days in filing the restoration petition to restore the CMP No.5488 of 2024 in CMA(MD)SR.No.26573 of 2024 dismissed on 05-06-2024 and take the appeal into file.

ORDER

This Petition is filed to condone the delay of 131 days in filing the restoration petition to restore the CMP No.5488 of 2024 in CMA(MD)SR.No. 26573 of 2024 dismissed on 05-06-2024 and take the appeal into file.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. For the reasons stated in the accompanying affidavit filed in support of the Petition and on being satisfied with the same, this Petition is allowed and the delay is condoned, however, on condition that the Petitioner is not entitled for



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interest for the default period.

vsn

28-10-2025



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R.POORNIMA,J.

vsn

ORDER MADE IN

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IN

CMA(MD) SR NO. 26572 OF 2024

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