



C.M.P.(MD)No.18672 of 2024

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

Thursday, the Second day of January Two Thousand and Twenty Five

PRESENT

The HONOURABLE MRS. JUSTICE R. KALAIMATHI

C.M.P.(MD)No.18672 of 2024

in

C.M.A.(MD) No.1220 of 2014

1 M/S.UNITED INDIA INSURANCE CO. LTD.,,
REPRESENTED BY ITS MANAGER,
42, MUTT STREET, KUMBAKONAM,
THANJAVUR DISTRICT.

... Petitioner / Appellant

Vs

1 K.PAVUNAMMAL

2 KARUNAKARAN

3 THE MANAGER
M/S.TVS FINANCE AND SERVICE LIMITED,
GOPAL RAO BUILDINGS,
TOWN HALL ROAD, KOMBAKONAM,
THANJAVUR DISTRICT.

4 THE MANAGER
M/S.JOSEPH MOTORS, KUMBAKONAM,
THANJAVUR DISTRICT.

5 G.THANGASAMY

6 R.SIVA

... Respondents/ Respondents



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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 Dismissal order dated 02.09.2024 passed by this Honourable Court as against the 3rd to 6th respondents and to restore the appeal in C.M.A.(MD) No.1220 of 2014 as against the 3rd to 6th respondents and pass such other or further orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

Prayer in CMA(MD). 1220/ 2014 :

to prefer this MEMORANDUM OF CIVIL MISCELLANEOUS APPEAL in this Honourable Court against the Judgement and Decree dated 19.09.2013 made in M.C.O.P.No.132 of 2010 on the file of the Motor Accident Claims Tribunal/Chief Judicial Magistrate Court, Thanjavur at Kumbakonam.

ORDER : This Civil Miscellaneous 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 M/s.B.RAJESH SARAVANAN, Advocate for the petitioner and of M/s.M.SURIYAKUMAR, Advocate for M/s.PARANJOTHI, Advocate on behalf of the R1 the court made the following order:-

This petition is filed to set aside the dismissal order dated 02.09.2024 passed as against the respondent Nos.3 to 6 and to restore the above appeal as against them.

2. Heard the learned counsel for the petitioner/appellant and the first respondent. The learned counsel for the first respondent does not have serious objection in allowing this petition.



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3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the order of dismissal passed as against the respondents 3 to 6 is set aside. To this effect, this petition is ordered.

sd/-
02/01/2025

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/ 01 /2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD

TO

The Judge,
Motor Accident Claims Tribunal/Chief Judicial Magistrate Court,
Thanjavur at Kumbakonam.

ORDER
IN
C.M.P.(MD)No.18672 of 2024
in
C.M.A.(MD) No.1220 of 2014
Date :02/01/2025

PSP/ GSV /SAR /08.01.2025/ 3P/ 2C

Madurai Bench of Madras High Court is issuing certified
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