



CMP(MD) No.8955
inCMA(MD) No.138 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24-04-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

C.M.P(MD) No.8955 of 2023
in
C.M.A(MD)No.138 of 2023

The Managing Director,
Tamil Nadu State Transport Corporation,
Periyamilaguparai, Trichy.

: Petitioner

Vs

V.Krishnamoorthy

: Respondent

This Civil Miscellaneous Petition filed under Order 41 Rule 19 of C.P.C., to restore the appeal in CMA(MD)No.138 of 2023, which was dismissed for default on 09.06.2023.

For Petitioner : Mr.K.Ramaiah

For Respondents : No Appearance.

ORDER

The above petition has been filed seeking orders to restore the appeal in CMA(MD)No.138 of 2023, which was dismissed for default on 09.06.2023.



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2. It is evident from the records that this Court vide order, dated 09.02.2023 in C.M.P(MD)No.1315 of 2023, granted an order of interim stay on condition to deposit 50% of the award amount within a period of 8 weeks. When the matter was taken up on 11.04.2023, since the conditional order was not complied with, the matter was again adjourned to 09.06.2023 and on that date, there was no representation and this Court, by observing that the appellant was not interested in prosecuting the appeal, dismissed the appeal for non-prosecution.

3. Considering the facts and circumstances of the case and taking note of the fact that the petitioner has not complied with the order of this Court, this Court is of the view that the petitioner may be given an opportunity to deposit the entire award amount within a period to be stipulated.

4. In the result, the Civil Miscellaneous Petition will be allowed on depositing the entire award amount to the credit of M.C.O.P.No.55 of 2016, on the file of the Motor Accidents Claim Tribunal/Special Subordinate Judge, Tiruchirappalli, on or before 04.06.2026, failing which, this petition shall stand dismissed automatically.

5. Post the matter on 05.06.2026, for reporting compliance.

24-04-2026

das
To
Motor Accidents Claim Tribunal/Special Subordinate Judge,
Tiruchirappalli.