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CMP(MD) NO. 14638 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03-02-2026

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NO. 14638 of 2025

IN

CMA(MD) SR NO. 49398 of 2024

Haji Mohammed

Petitioner(s)

Vs

1.Thiyagarajan

2.The Branch Manager,
Kotak General Insurance Company Ltd.,
Marys Corner 1st Street,
Plot No.31, Anna Nagar,
Najikottai Road, Thajavur.

Respondent(s)

For Petitioner(s):

Mr.G.Mathavan,
Advocate

For Respondent(s):

Mr.G.Karnan,
Advocate for R1

Mr.Shyllappakalyan,
Advocate for R2

Prayer : Civil Miscellaneous Petition is filed to restore the Civil Miscellaneous Appeal in C.M.A.(MD)SR No.49398 of 2024, which was rejected for non-payment of Court fee deposit on 28.02.2025.

ORDER



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This Civil Miscellaneous Petition has been filed to restore the Civil Miscellaneous Appeal in C.M.A.(MD)SR No.49398 of 2024, which was rejected on 28.02.2025 for non-payment of court fee.

2. Heard the learned counsel appearing on either side and perused the affidavit filed in support of this petition.

3. The learned counsel for the petitioner submitted that the delay of 10 days in filing the present restoration petition was already condoned by this Court on 25.08.2025 in C.M.P.(MD)No.10626 of 2025. He further submitted that the petitioner has paid the court fee before this Court as well as the statutory deposit of Rs.25,000/- before the Motor Accident Claims Tribunal / Special Sub Court, Thanjavur.

4. The learned counsel for the 1st respondent and the learned counsel for the 2nd respondent have not raised any serious objections to this petition.



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5. Considering the fact that the court fee as well as the statutory deposit have already been paid by the petitioner/appellant, being satisfied with the reasons stated in the affidavit, and also considering that this is only a consequential petition, this Civil Miscellaneous Petition is allowed.

03-02-2026

Note : *The Registry is directed to restore the Civil Miscellaneous Appeal in C.M.A.(MD)SR No.49398 of 2024, number the same if it is otherwise in order, and list the same on 17.02.2026 under the caption “For Admission”.*

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P.VADAMALAI, J.

mn

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IN
CMA(MD) SR NO. 49398 of 2024**

03.02.2026