

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE S.SIRI JAGAN
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

TUESDAY, THE 3RD DAY OF DECEMBER 2013/12TH AGRAHAYANA, 1935

MACA.No. 1374 of 2005 (C)

[AGAINST THE AWARD IN O.P(M.V).NO.1055/2001 OF THE
MOTOR ACCIDENTS CLAIMS TRIBUNAL, NEYYATTINKARA DATED 03-07-2004]

APPELLANT/APPLICANT:

NIRMALA.M. D/O.ATHAMNA,
PUTHUVAL PURAYIDOM VEEDU,
POZHIYOOR P.O. KULATHOOR,
NEYYATTINKARA.

BY ADV. SRI.G.SUDHEER KARAKONAM.

RESPONDENTS/RESPONDENTS 1 TO 3:

1. H.ABOOBACKER, KALLADIKU HOUSE,
MAMPOTTUMOD, POOKKATTA MADOM, THIRUR.
2. ANIL KUMAR, THAZHAVILA HOUSE, KARODE,
OLD UTCHAKADA, KAKKAVILA P.O.
3. THE MANAGER,
UNITED INDIA INSURANCE CO.LTD.,
MARTHANDAM, .K.K. DISTRICT
TAMIL NADU.

R3 BY ADV. SRI.P.JAYASANKAR.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME
UP FOR ADMISSION ON 03-12-2013, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:

Prv.

S.SIRI JAGAN & K. RAMAKRISHNAN, JJ.

.....
M.A.C.ANO.1374 OF 2005
.....

Dated this the 3rd day of December, 2013.

JUDGMENT

Siri Jagan, J.

The matter comes up in the defects list today. The defect is that notice issued to the first respondent has been returned with the postal endorsement "not known". The defect was notified on 26.10.2010. Since the appellant did not cure the defects, the matter was posted for defects before the Registrar (Judicial) on 28.10.2010. On that day the counsel for the appellant requested that the matter may be posted before court for defects. Even thereafter, the appellant did not cure the defects. That is why the matter comes up in the defect list today. When the matter is taken up, none appears for the appellant. In the above circumstances, the appeal is dismissed for default.

Sd/-

S.SIRI JAGAN, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

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/true copy/

P.S. to Judge