

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

&

THE HONOURABLE MR.JUSTICE K.HARILAL

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

MACA.No. 1381 of 2005 ()

AGAINST THE AWARD IN OPMV 1446/2000 of M.A.C.T.,
THIRUVANANTHAPURAM DATED 14-07-2004

APPELLANTS/APPLICANTS:

1. MARIYA NESOM T.RAJ,
W/O.LATE J.THANKARAJ, AGED 39 YEARS, SHIJU NIVAS
PANSOTTUVILA, KUNNAPUZHA, THIRUMALA VILLAGE,
ARMADA P.O., THIRUVANANTHAPURAM.

2. SHIJU T.RAJ,MINOR AGED 14 YEARS,
S/O.LATE J.THANKARAJ OF DO-DO.

3. SHINU T.RAJ,MINOR,AGED 12 YEARS,
S/O. LATE J.THANKRAJ OF DO-DO.

BY ADVS.SRI.K.RAVU
SRI.VISHNU.R

RESPONDENT(S)/RESPONDENTS:

1. SRI.K.RAJENDRAN NAIR,
S/O.SRI.KRISHNA PILLAI, MULOKKAL HOUSE, AYIROOR P.O.
VARKALA, THIRUVANANTHAPURAM.

2. SRI.J.DAVID,S/O.JOSEPH,
PALLY VILAGAM VEEDU, MEKATHERU ARUMANAI P.O.
KANYAKUMARI DIST.

3. BRANCH MANAGER,M/S.UNITED INDIA
INSURANCE COMPANY LTD., XAVIER BUILDING, 2ND FLOOR
P.W.D.OFFICE ROAD, NAGARCOIL P.O., TAMIL NADU.

R3 BY ADV. SRI.S.MAMMU

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY
HEARD ON 10-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.R. RAMACHANDRA MENON & K. HARILAL, JJ.

M.A.C.A.No.1381 of 2005

Dated this the 10th day of September, 2015.

JUDGMENT

Ramachandra Menon, J.

This appeal arises from the award dated 14.7.2004 in OP(MV) No.1446 of 2000. The claim petition preferred by the Tribunal seeking for compensation in respect of the injuries sustained in a road traffic accident occurred on 12.3.2000 was finalised by granting a total sum of Rs.3,51,000/- with interest @ 9% per annum, mulcting the liability upon the Insurance Company to satisfy the same. The appeal is filed by the claimants for enhancement.

2. When the matter came up for consideration on 9.9.2015, there was no representation from the part of the appellants, and hence the case was adjourned to this date. Today also the position is not different and there is nobody to represent the appellants. It

appears that the appellants have lost interest in the cause of action. The appeal stands dismissed for non-prosecution.

Sd/—

P.R. RAMACHANDRA MENON, JUDGE

Sd/—

K. HARILAL, JUDGE

okb.