

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

OP (MAC).No. 50 of 2015 (O)

AGAINST THE ORDER/JUDGMENT IN OPMV 390/2010 of M.A.C.T.,ATTINGAL DATED

PETITIONER :

KUMARI AMMA AGED 55 YEARS
W/O. SUKUMARA PILLAI
PADINJATTATHIL VEEDU,
ARIVARIKUZHI, KATTUMPURAM
PULIMATH 695 313

BY ADVS.SRI.T.M.ABDUL LATHEEF
A.MUHAMMED RASHEED

RESPONDENTS:

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1. NOUSHAD J, S/O JAMALUDHIN
EETTIVILA VEEDU, PATHANAPURAM 689 695
 2. M/S.NATIONAL INSURANCE CO.LTD.,
PATHANAMTHITTA 689 645

R2 BY SRI.M.A.GEORGE, SC

THIS OP (MAC) HAVING COME UP FOR ADMISSION ON 08-04-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

OPMAC NO.50 OF 2015

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: TRUE COPY OF THE CLAIM PETITION OP MV NO.390 OF 2010 FILED BY THE PETITIONER BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, ATTINGAL

EXT.P2: TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE 2ND RESPONDENT BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, ATTINGAL IN OP MV NO.390/10

RESPONDENTS EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

O.P(MAC)No. 50 of 2015

Dated this the 08th day of April, 2015

J U D G M E N T

The petitioner is aggrieved with the non-disposal of the claim petition filed as OP(MV) No.390/2010 before the Motor Accidents Claims tribunal, Attingal. The petitioner contends that despite the claim being of the year 2010, Insurance Company has filed the written statement only in the year 2015.

2. I have heard the learned counsel for the petitioner as also Sri. M.A George, learned Standing Counsel for the Insurance Company.

3. It is only appropriate that the petitioner be directed to file an application before the Tribunal itself for speedy disposal of the matter, since, it would be for the Tribunal to decide on the early disposal considering the pendency of the matters and priority to be given year wise. In such circumstance, if such an application is filed before the Tribunal, the Tribunal shall consider

O.P(MAC) 50/2015

: 2 :

the same looking at the pendency of the cases as also looking at the priority of the year in which the above claim is filed.

The original petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge