

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

OP (MAC).No. 81 of 2015 (O)

**EP.NO.194/2013 IN OP(MV) NO. 1384/1998 OF MOTOR ACCIDENTS CLAIMS TRIBUNAL,
THRISSUR**

PETITIONERS/PETITIONERS 1 AND 3 :

**1. ROSILY LAZAR,
KANJIRATHINGAL HOUSE,
UNITY ROAD, KURIACHIRA
THRISSUR - 680 006.**

**2. LESSY GEORGE
W/O.P.V.GEORGE, PORUTHUKARA HOUSE
NEAR GOVT. H.S PUTHUKKAD P.O., THRISSUR.**

**BY ADVS.SRI.K.B.GANGESH
SMT.SMITHA CHATHANARAMBATH
SMT.ATHIRA A.MENON**

RESPONDENTS/RESPONDENT & PETITIONER NO. 2 :

**1. THE NEW INDIA ASSURANCE CO. LTD
DIVISIONAL OFFICE, KOLLANNUR BUILDING, PALACE ROAD
THRISSUR - 680 001.**

**2. MURPHY MOHANAN
W/O.K.MOHANAN, JIMMY MOTOR ACCESSORIES
27 RAJA MOTOR MARKET, 2ND CROSS, JOURNALIST COLONY
BANGALORE 560 002.**

R1 BY ADV. SRI.A.A.ZIYAD RAHMAN

**THIS OP (MAC) HAVING COME UP FOR ADMISSION ON 15-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

OP (MAC).No. 81 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1. COPY OF THE AWARD PASSED BY MOTOR ACCIDENTS CLAIMS
TRIBUNAL, THRISSUR IN OP(MV) NO.1384/1998 DATED 4.2.03.**

**EXHIBIT P2. COPY OF EXECUTION PETITION - EP NO.194/2013 IN
OP(MV) NO.1384/1998.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

O.P.(MAC) No. 81 of 2015

Dated this the 15th day of June, 2015.

JUDGMENT

Aggrieved by the delay in disposing of E.P.No.194 of 2013 in O.P.(M.V.) No.1384 of 1998 on the files of the Motor Accident Claims Tribunal, Thrissur, petitioners have come up before this Court.

2. Petitioners are claimants 1 and 3 in O.P.(MV) No.1384/1998. The second respondent is the 3rd claimant. Compensation was claimed on account of the death of the first petitioner's son. The 2nd petitioner and the second respondent are his sisters. Ext.P1 award was passed in favour of the claimants on 4.2.2003 granting a total compensation of Rs.2,39,800/- with interest. Claimants filed E.P No.194/2013 before the MACT, Thrissur for realisation of the compensation amount with interest. The E.P. is still pending.

3. I have heard the learned counsel for the petitioner and the learned Standing Counsel for the Insurance Company.

4. Considering the nature of the relief sought for, this Court is of the view that the original petition can be disposed of, even without issuing notice to the second respondent. As it appears from the records that E.P. is pending since December, 2013, the matter requires urgent attention by the learned MACT.

Therefore, the original petition is disposed of directing the Motor Accidents Claims Tribunal, Thrissur to consider and pass appropriate orders on E.P.No.194 of 2013 in O.P.(M.V.) No.1384 of 1998 within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.