

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2016

C O R A M

The Hon'ble Mr.Justice T.Raja

C.M.A.No.981 of 2000

and

C.M.P.No.9145 of 2000

Mani alias Subramani

...Appellant

Vs

Subramaniyam

...Respondent

PRAYER in Appeal: -

Civil Miscellaneous Appeals filed against the judgment and decree, dated 27.10.1999, passed in M.C.O.P.No.642 of 1990, on the file of the Motor Accident Claims Tribunal (Additional Special Judge) Dharmapuri, at Krishnagiri.

For Appellant : Mr.D.Rajagopal
No appearance

For Respondent : Not ready in notice

JUDGMENT

This Civil Miscellaneous Appeal has been filed, challenging the judgment and decree passed by the learned Additional Special Judge, Motor Accident Claims Tribunal, Dharmapuri, Krishnagiri District, in M.C.O.P.No.642 of 1990, dated 27.10.1999.

2. When the Appeal was taken up for admission on 11.07.2000, notice to the sole respondent was ordered. It is manifested from the records that the matter was not listed for nearly seven years, and in the year 2008, when the matter was listed, at the request of the learned counsel for the appellant, it was adjourned for three occasions, i.e., on 10.01.2008, 22.01.2008, and 04.02.2008. Thereafter, in the year 2012, when the matter was listed on 02.02.2012, the Court passed the following order:-

" Batta to be paid within three days.
Notice to the respondent, returnable in
three weeks. Private notice is also

permitted. The matter again shall be listed
on 29.02.2012. "

3. The records show that the sole respondent has not been served till date. Subsequently, when the Appeal came up before this Court on the last occasion, i.e., on 22.09.2016, since none appeared for the appellant, this Court directed the Registry to list the case on 26.09.2016, under the caption "For Dismissal". Accordingly, the case was listed today, and when taken up for hearing, again, there is no representation on behalf of the appellant. Hence, this Civil Miscellaneous Appeal is dismissed for default. Consequently, connected C.M.P. is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Special Additional Judge,
Motor Accident Claims Tribunal,
Krishnagiri.
- 2.The Section Officer,
VR Section, High Court, Chennai-104.

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C.M.A.No.981 of 2000

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