



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Twenty Ninth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CMP(MD) Nos.9545 to 9547 of 2016
IN
CMA(MD) No.730 of 2015

NATIONAL INSURANCE CO.LTD.
NO.33, PROMENADE ROAD,
CANTONMENT, TRICHY.

... PETITIONER/APPELLANT

Vs

1 S.KALIYAPERUMAL (DIED)
2. S.LAKSHMI
3 V.SIVAKUMAR
4 SIVANATHAN
5 SENTHIL

... RESPONDENTS/RESPONDENTS
... RESPONDENTS/RESPONDENTS

PRAYER IN CMP(MD)No.9545/2016

To condone the delay of 1574 days in seeking to set aside the abatement caused by the death of the deceased 1st respondent in CMA No.730/2015

Prayer in CMP(MD). 9546/ 2016 :

To set aside the abatement caused by the death of the deceased 1st respondent in CMA No.730/2015 on the file of this Court.

Prayer in CMP(MD). 9547/ 2016 :

To bring the respondents 4 & 5 herein as the legal representatives of the deceased 1st respondent in the above appeal. and record them as proposed respondents 4 & 5 in CMA No.730/2015

Prayer in CMA(MD). 730/ 2015 :

To set aside the fair and decreetal order dated 10.12.2011 made in MCOP No.828 of 2006 on the file of Motor Accident Claims Tribunal (Chief Judicial Magistrate), Trichy.

ORDER : These petitions coming on for hearing on this day Upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.Srinivasa Raghavan, Advocate for the Petitioner, and of Mr.N.SudhagarNagaraj, Advocate for the Respondent No.2 in all these miscellaneous petitions, the Court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

These petition have been filed to condone the delay of 1574



days in filing to set aside the abatement caused due to death of the first respondent, to set aside the abatement caused due to the death of the first respondent and to bring on record the proposed respondents 4 and 5 herein as legal representatives of the deceased first respondent.

2.The learned counsel for the second respondent has no objection for condoning the delay, to set aside the abatement and to bring on record the respondents 4 and 5.

3.Considering the reasons stated in the affidavit filed in support of the petitions, these petitions are allowed.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

+1. C.C. to M/S. N.SUDHAGAR NAGARAJ, Advocate SR.No.74513

Dated :29/11/2016
C.D.PURPOSE

CMP(MD) Nos.9545 to 9547 of 2016
IN
CMA(MD) No.730 of 2015

um/skn-mm/25.01.2017/2p/2c