



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.01.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**
AND
THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

C.M.A. [MD] .No.446 of 2011
and
M.P. (MD) Nos.1 of 2011 and 1 to 3 of 2014

The New India Assurance Company Ltd.,
Theni,
(Through its Branch Manager) : Appellant

Vs.

1.Mr.Kandasamy
2.Mrs.Maniammal
3.Vadivel
4.Jaheer Hussain : Respondents

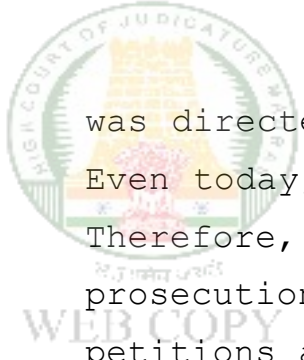
PRAYER: Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the order and decree dated 04.10.2010 made in M.C.O.P.No.153 of 2009 on the file of the Motor Accidents Claims Tribunal, Principal District and Sessions Judge, Theni and to allow the appeal with cost.

For Appellant : No Appearance
For Respondent No.1 : Mr.C.Sundaravadivel
For Respondent No.2 : Died
For Respondent No.3 : No Appearance
For Respondent No.4 : Mr.Mahaboob Athiff,
For M/s.Ajmal Associates

J U D G M E N T

[Judgment of the Court was delivered by **R.SUBBIAH, J.**]

When the appeal came up for hearing on 21.12.2016, there was no representation on behalf of the appellant. Hence, the appeal



was directed to be listed today under the caption "for dismissal". Even today, there is no representation on behalf of the appellant. Therefore, the Civil Miscellaneous Appeal is dismissed for non-prosecution. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. Principal District and Sessions Judge,
The Motor Accidents Claims Tribunal,
Theni.

2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

**Judgment made in
C.M.A. [MD] .No.446 of 2011
Dated: 04.01.2017**

SMA/SS-2-KSM/25.01.2017:2P/3C