

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.17528 of 2004

United India Insurance Co. Ltd.
By its Divisional Manager
2, 104-A, Sri Ranga Complex
I Floor, Peramanur Main Road
Salem -7. Petitioner

Vs.

1.R.Thangavelu
2.Amirthlal Gandhi
3.Motor Accident Claim Tribunal
(Additional District Judge)
Fast Tract Court-II, Salem. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records and quash the award dated 25.09.2002 of the third respondent in M.C.O.P.No.830 of 2000 on the file of the third respondent and to direct the third respondent to dismiss the claim petition.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.D.Shivakumaran

O R D E R

At the request of the counsel for both sides, this case had been adjourned on 27.06.2018, and 11.07.2018 to ascertain the present status of the matter from the parties concerned. Today, when the case is called, the learned counsel for the second respondent has filed a memo stating that it has informed to him by the wife of the second respondent that the second respondent has expired four years ago.

2.The learned counsel appearing for the petitioner submits that in view of the death of the second respondent, it would not be possible to prosecute the writ petition further without impleading the legal representatives of the deceased second respondent.

3.In such circumstances, the writ petition is dismissed as abated leaving it open to the petitioner to apply for revival of the writ petition, if necessary, by impleading the legal representatives of the deceased second respondent by the appropriate proceedings. No cost.

may a

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

To

Motor Accident Claim Tribunal
(Additional District Judge)
Fast Tract Court-II, Salem.

+1 CC TO MR.D.BASKAR Advocate SR.NO. 46668

+1 CC TO MR.Mr.D.Shivakumaran Advocate SR.NO. 45794

+1 CC TO M/S.REVATHI MURALIDHARAN Advocate SR.NO. 45657

W.P.No.17528 of 2004

NM (CO)

ASK(10/08/2018)

सत्यमेव जयते

WEB COPY