

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.1395 of 2006
and
C.M.A.SR.No.56235 of 2005

The New India Assurance Co. Ltd.,
No.1, Officer's line
Vellore-1.

.. Petitioner

Vs.

1.Valli
2.Radha
3.Arul Raj
4.Sumathi
5.Senthilkumar
6.Kavitha
7.P.Manoharan
8.V.N.Rajendiran
(7th & 8th respondents were set exparte
by the Court below)

.. Respondents

सत्यमेव जयते

PRAYER: C.M.P.No.1395 of 2006 is filed under Section 173 (1) of the Motor Vehicles Act, 1988, to condone the delay of 796 days in filing the above appeal.

C.M.A.SR.No.56235 of 2005 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated

26.05.2003 made in M.C.O.P.No.528 of 2001 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Vellore.

For Petitioner : Mr.K.Padmanabhan

ORDER

C.M.P.No.1395 of 2006 is filed to condone the delay of 796 days in filing the above appeal.

C.M.A.SR.No.56235 of 2005 is filed against the judgment and decree dated 26.05.2003 made in M.C.O.P.No.528 of 2001 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Vellore.

2.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

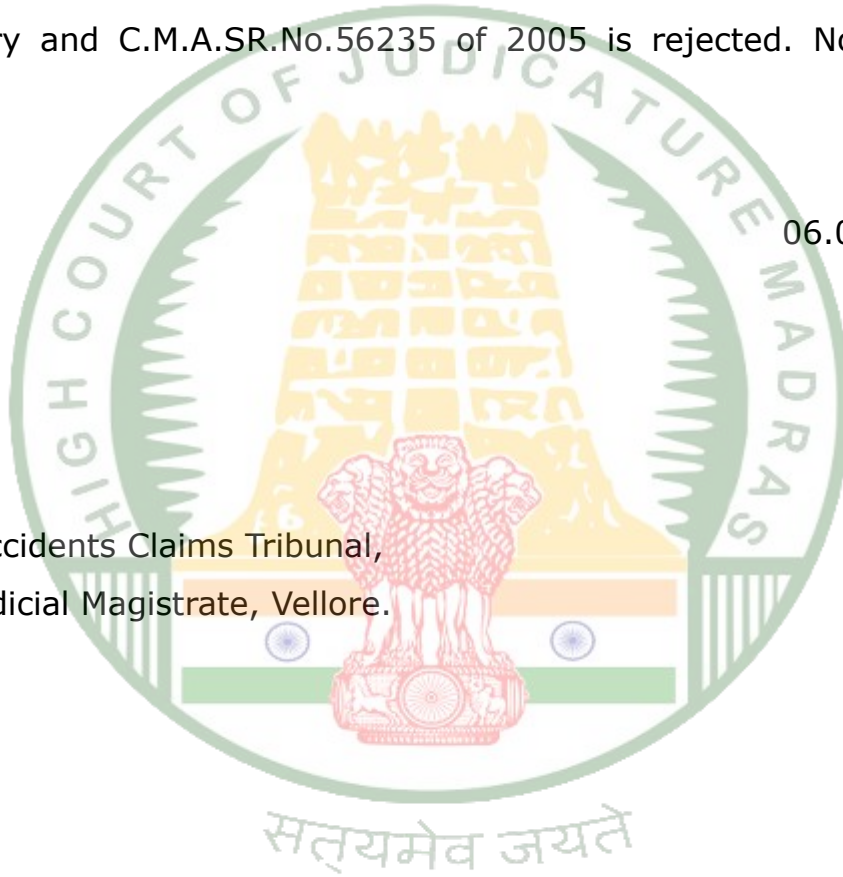
3.From the materials available on record, it is seen that this Court by order dated 21.12.2018 ordered fresh notice to the respondents 1 to 7 returnable by 08.01.2019 and directed the petitioner to file batta along with copies of petition and affidavit on

or before 04.01.2019, failing which, the Civil Miscellaneous Petition shall be dismissed automatically. The petitioner has not filed batta before the date fixed by this Court. In view of the same, C.M.P. No.1395 of 2006 is already dismissed and no further order is necessary and C.M.A.SR.No.56235 of 2005 is rejected. No costs.

06.02.2019

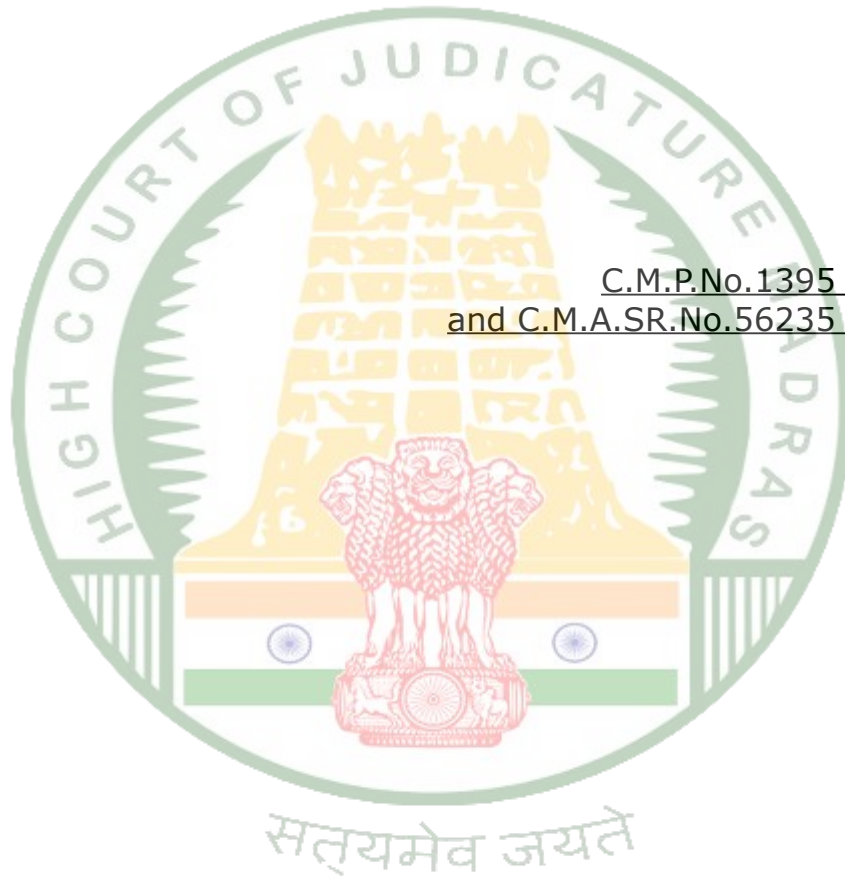
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To
Motor Accidents Claims Tribunal,
Chief Judicial Magistrate, Vellore.



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V.M.VELUMANI, J.
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C.M.P.No.1395 of 2006
and C.M.A.SR.No.56235 of 2005

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