

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM:

THE HONOURABLE Mr.JUSTICE RMT.TEEKAA RAMAN

C.M.A.No.954 of 2012

and

M.P.No.1 of 2012

The Oriental Insurance Co.Ltd.,
Rep.by Branch Manager,
Branch Office,
No.3L, Siddaveerappa Chetty Street,
Dharmapuri

... Appellant/R2

Vs.

1.Mr.R.Vadivel

... R1/Petitioner

2.Thiruvarasan

3.L.Selvam

4.M/s.National Insurance Co.Ltd.,

Kumbakonam Branch,

No.62, T.S.R.Big street,

Kumbakonam - 612 001.

(Respondents 2&3 exparte before the Tribunal)

.... RR3 to 4/RR1, R3 & R4

Prayer : Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree dated 19.11.2011 made in MC.O.P.No.1293 of 2001 on the file of the Motor Accidents Claims Tribunal, (Chief Judicial Magistrate Court), Krishnagiri.

For Appellant

: Mr.N.Vijayaraghavan

For R1

: Mr.R.Sreedharan

For R2&R3

:Exparte before the Tribunal

For R4

: Mr.S.Vadivel

JUDGMENT

A memo dated 28.03.2019 has been filed by the learned counsel for the appellant stating as follows:-

"1.It is submitted by Order dated 31.08.2017 in CRP.Nos.939 to 943 of 2005 batch, this Hon'ble Court has

dismissed the same, on the same grounds as raised in these appeals.

2. Accordingly the insurer is advised not to press this appeal as lacking in merits and hence the C.M.A.No.954 of 2012 may be dismissed as not pressed in the interest of justice.

3. In view of the dismissal of this appeal, the entire award amount deposited by the insurer appellant may be permitted to be withdrawn by the injured claimant.

4. The C.M.A.No.954 of 2012 may be dismissed duly recording this memo in the interest of justice".

2. The above memo filed by the learned counsel for the appellant is recorded and the appeal is dismissed in terms of the said memo. No costs. Consequently, connected Miscellaneous Petition is closed.

3. In view of the dismissal of the appeal, the entire award amount deposited by the insurer/appellant is permitted to withdraw by the injured claimant before the Tribunal.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Judicial Magistrate,
Motor Accidents Claims Tribunal,
(Chief Judicial Magistrate Court), Krishnagiri.

2. The Section Officer,
V.R.Section, High Court,
Chennai.

+lcc to Mr.N.Vijayaraghavan, Advocate sr.31199
+lcc to Mr.S.Vadivel, Advocate sr.29916

C.M.A.No.954 of 2012
and M.P.No.1 of 2012

nr 11/07/2019



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