

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2020

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.2015 of 2012

Fowziya Begam

... Appellant/Claimant

Vs

Metropolitan Transport Corporation
[Chennai Division] Ltd., rep by its Managing
Director, Pallavan Salai,
Chennai - 600 002. ... Respondent/Respondent

Prayer : Civil Miscellaneous Appeal filed under Section 173 of
the Motor Vehicles Act, 1988 against the Judgment and Decree
dated 23.12.2011 made in MACT.O.P.No.4139 of 2006 on the file of
the Additional District cum Sessions Judge (II Fast Track Court)
Motor Accidents Claims Tribunal, Chennai.

For Appellant : Mr.R.Kalai arasan

For Respondent : Mr.K.Natarajan

J U D G E M E N T

This civil miscellaneous appeal has been filed challenging
the award dated 23.12.2011 passed by the Motor Accidents Claims
Tribunal, Additional District cum Sessions Judge (II Fast Track
Court), Chennai in MCOP.No.4139 of 2006.

2. The learned counsel for the Appellant has filed a memo
dated 31.07.2020 stating that the Appellant is dead and the
death certificate is also enclosed along with the said memo. He
has also sought permission of this Court to withdraw this appeal
and the said memo is extracted hereunder:

"It is submitted that the above C.M.a.No.2015 of
2012 is filed for enhancement of compensation awarded
for the injuries sustained by the appellant/claimant on
06.07.2006.

It is submitted that pending appeal, the
appellant, Fowziya Begam, died on 19.05.2020. The death

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of the appellant is in no way connected with the injuries sustained in the said accident. The copy of the death certificate is enclosed herewith.

Hence, it is humbly prayed that this Hon'ble Court may be pleased to record the death of the appellant and pleased to permit to withdraw the above appeal and thus render justice."

3. The submission of the learned counsel for the Appellant as well as the memo are recorded. Accordingly, the appeal shall stand dismissed as withdrawn. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Motor Accidents Claims Tribunal,
The Additional District cum Sessions Judge,
(III Fast Track Court),
Chennai.

Copy to:
The Section Officer,
VR Section,
High Court, Madras.

NR(CO)
CB(21/01/2021)

C.M.A.No.2015 of 2012

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