

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR.JUSTICE D.KRISHNA KUMAR

C.M.A.NO.2024 OF 2009

The National Insurance Company Limited,
Divisional Office at No.11,
Sakthi Road, Lalbagh Mission Road,
Bangalore - 560 027.

... Appellant/Respondent

Vs.

1.Chandrasekaran S/o. Chokkalinga Gounder

2.Minor Jothi prakash S/o. Chandrasekaran

3.Minor Hariprakash S/o. Chandrasekaran
[2nd and 3rd minor petitioners represented
by Natural guardian father Chandrasekaran]

4.Kantharaj S/o.Mabnickaraj

5.Mrs.Meera Suresh

6.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
No.12, Ramakrishna Road,
Salem.

7.P.Easwaran S/o.Palaniappan,

8.P.Rajagopalan S/o.Palani Asari,

... Respondents/Petitioners

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the judgment and Decree dated 24.10.2008 made in M.A.C.T.O.P.No.114 of 2005 on the file of the Motor Accidents Claims Tribunal, Pollachi (Motor Accidents Claims Tribunal cum Subordinate Judge of Pollachi).

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day upon perusing the Grounds of Appeal, the order of the Lower Court, and the records in the case and upon hearing the arguments of Mr.S.Vadivel, Advocate for the Appellant, and Mr.D.Raghu, Advocate for the Respondent Six and Respondents 1, 2, 3, 5, 7 & 8 non appeared either in person or by Advocate and in respect of Fourth Respondent steps not having been taken to serve notice and this Court while dismissing the Civil Miscellaneous Appeal, doth order and decree as follows:-

i) that the Judgment and Decree of the Motor Accidents Claims Tribunal, Pollachi (Motor Accidents Claims Tribunal cum Subordinate Judge of Pollachi), made in M.C.O.P.No.114 of 2005, dated 24.10.2008 is confirmed and this Civil Miscellaneous Appeal be and hereby stands dismissed and;

ii) that there be no order as to costs in the Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

To

The Motor Accidents Claims Tribunal, Pollachi
(Motor Accidents Claims Tribunal cum Subordinate
Judge of Pollachi)

Copy To

The Section Officer,
V.R.Section, High Court,
Madras-104.

+1cc to Mr.S.Vadivel, Advocate, S.R.No.11293

+1cc to Mr.D.Raghu, Advocate, S.R.No.11364

DATED : 24/02/2021

DECREE :

C.M.A.No.2024 of 2009

 Dismissing the Civil
Miscellaneous Appeal preferred
against the judgment and Decree
dated 24.10.2008 made in
M.C.O.P.No.114 of 2005 on the
file of the Motor Accidents
Claims Tribunal, Pollachi (Motor
Accidents Claims Tribunal cum
Subordinate Judge of Pollachi)
etc., as stated therein.

SSN(CO)
RLP(13/09/2021)