

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2021

CORAM:

THE HON'BLE Mr.JUSTICE D.KRISHNAKUMAR

C.M.A.Nos.3160 and 3161 of 2012
and
M.P.Nos.1 & 1 of 2012, 1 & 1 of 2015

CMA.No.3160 of 2012 ::

Royal Sundaram Alliance Insurance Co. Ltd.,
46, Whites Road, Chennai - 600 014.

... Appellant/2nd Respondent

..vs..

1.Malliga

2.Minor Jayapriya

3.Minor Amudhavalli

4.Minor Sasikala

...Respondents 1 to 4/Petitioners

5.N.Selvaraj

...5th Respondent/1st Respondent

[Minors 2 to 4 rep. by mother & NF 1st respondent Malliga]

... Respondents

PRAYER in CMA.No.3160 of 2012 :: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree in MCOP.No.816 of 2004, dated 08.07.2005 on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate No.1, Dharmapuri at Krishnagiri.

CMA.No.3161 of 2012 ::

Royal Sundaram Alliance Insurance Co. Ltd.,
46, Whites Road, Chennai - 600 014.

... Appellant/2nd Respondent

..vs..

1.Rajammal

2.Muniappan

3.N.Selvaraj

...1 & 2 Respondents/1 & 2 Petitioners

...3rd Respondent/1st Respondent

PRAYER in CMA.No.3161 of 2012 :: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree in MCOP.No.817 of 2004, dated 08.07.2005 on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate No.1, Dharmapuri at Krishnagiri.

For Appellant : Mr.E.Rajadurai
for Mr.N.Vijaya Raghavan in both the CMAs.

For Respondents : Mr.D.Shivakumarn
for R1 to R4 in CMA.No.3160 of 2012
for R1 and R2 in CMA.No.3161 of 2012
R5 - Notice unserved in CMA.3160 of 2012
R3 - Notice unserved in CMA.3161 of 2012

C O M M O N J U D G M E N T

These Civil Miscellaneous Appeals are filed against the orders of judgment and decree in MCOP.Nos.816 and 817 of 2004, dated 08.07.2005 on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate No.1, Dharmapuri at Krishnagiri.

2. Today when the Civil Miscellaneous Appeals were taken up for consideration, the learned counsel for the respondents/ claimants would submit that the entire compensation amount was deposited by the Insurance Company and the same was withdrawn by the claimants before granting of interim stay by this court. Therefore, nothing survives for adjudication in the present appeals and the appeals have become infructuous.

3. In view of the submission made by the learned counsel for the respondents/ claimants, these Civil Miscellaneous Appeals are dismissed as having become infructuous. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dsa
To

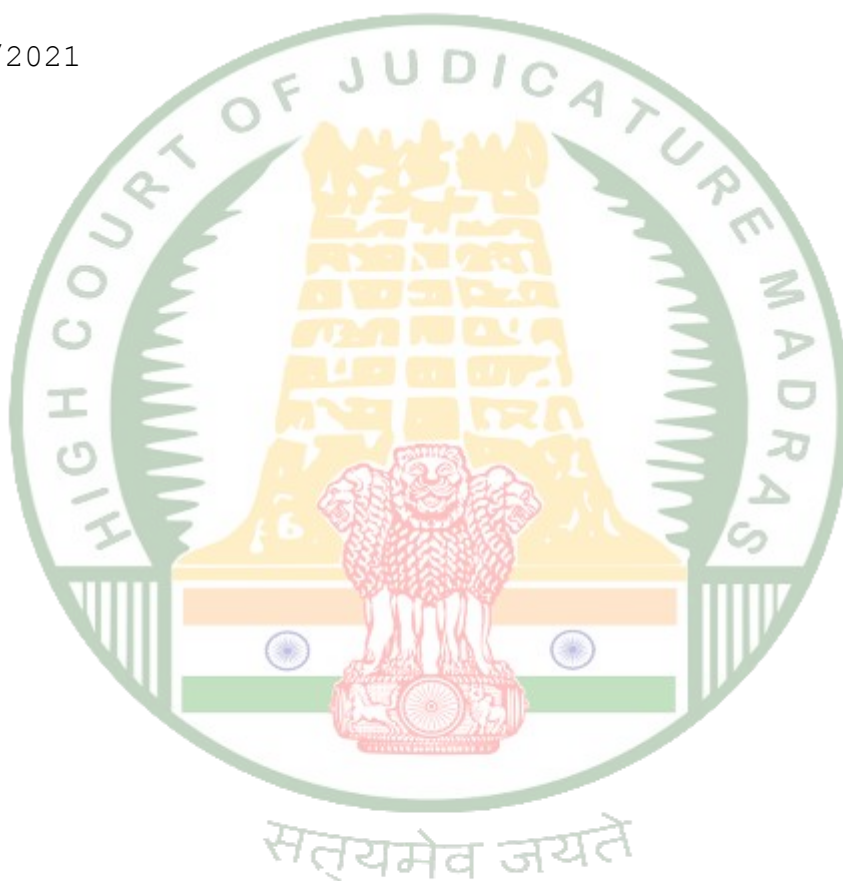
The Chief Judicial Magistrate No.1,
Motor Accidents Claims Tribunal,
Dharmapuri at Krishnagiri.

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The Section Officer,
VR Section, High Court,
Madras-104.

C.M.A.Nos.3160 and 3161 of 2012

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