

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRP(PD)No.3135 of 2017
and
CMP No.14731 of 2017

E.Devaraj (in persistent Vegetative State)
Rep. by his wife & N.F. D.Mala

... Petitioner/Petitioner/Petitioner

Vs.

Tamil Nadu State Transport Corpn. Ltd.,
Rep. by its M.D.
(VPM), Villupuram R.O.,
Thiruvannamalai.

...Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 27.07.2017 passed in M.P.No.1664 of 2017 in M.C.O.P.No.1647 of 2016 on the file of the II Judge Court of Small Causes at Chennai.

For Petitioner : K.Suryanarayanan
For Respondent : NA

ORDER

(This case has been heard through video conference)

The learned Counsel for the petitioner would submit that a Miscellaneous Petition in M.P.No.1664 of 2017 in M.C.O.P.No.1647 of 2016 was filed by the petitioner who was in the vegetative state before the trial Court for appointment of an Advocate commissioner to visit the petitioner along with a duly qualified medical practitioner and to report before the Court about the physical condition of the petitioner to enable the Motor Accident Claims Tribunal to appreciate and evaluate the physical condition of the petitioner assess the compensation payable and since, the petition was dismissed, the present Civil Revision Petition has been filed. He would submit that pending Civil Revision Petition, the petitioner passed away and now the legal heirs of the petitioner have filed a petition before the Tribunal to implead them in the Original Petition for claim. He would submit that in view of the death of the petitioner, nothing survives for adjudication and he would seek permission of this Court to withdraw the Civil Revision Petition.

2. The learned Counsel for the petitioner would further submit that the MCOP is of the year 2016 and that a direction may be issue to the Tribunal to complete the trial and pass the award at the earliest.

3. In view of the above submission, this Civil Revision Petition stands dismissed as withdrawn. Consequently, connected Miscellaneous petition is closed. No costs.

4. Further, a direction is issued to the Motor Accident Claims Tribunal / II Judge Court of Small Causes at Chennai, to dispose of the M.C.O.P.No.1647 of 2016 as expeditiously as possible preferably within a period of six months from the date of receipt of copy of this order.

30.04.2021

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Index : yes / no

Internet : yes /no

Speaking / Non speaking order

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A.D.JAGADISH CHANDIRA,J.

Ksa-2

To

Motor Accident Claims Tribunal /
II Judge Court of Small Causes at Chennai,



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