



C.M.A.(MD) No.1134 of 2010

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.M.A. (MD) No.1134 of 2010

R.Selvaraj

... Appellant/Petitioner

-vs-

1.Nepolian

2.The Regional Manager

United India Insurance Company

1783/84, South Main Street

Thanjavur

Thanjavur District

... Respondents/Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the Judgment and Decree, dated 04.10.2005 in M.C.O.P.No.541 of 2003, on the file of the Motor Accident Claims Tribunal cum Principal Subordinate Judge, Thanjavur.

For Appellant : No appearance

For Respondents : No appearance for R1
Mr.R.Srinivasan for R2

J U D G M E N T

A perusal of the records show that though the appellant was directed to serve copy of the typed set of papers on the respondents' counsel vide orders dated 09.12.2020 and 18.12.2020, but so far, the same has not been served on the respondents' counsel. Subsequently, there was no representation for the appellant when the case was listed on 08.01.2021, 22.01.2021 and 05.02.2021. Hence, Registry was directed to list the appeal today under the caption "For Dismissal". Even today, when the matter is taken up for hearing, none appeared on behalf of the appellant. Hence, this Court has no other option except to dismiss the appeal for non-prosecution. Accordingly, the civil miscellaneous appeal is dismissed as non-prosecution. No costs.

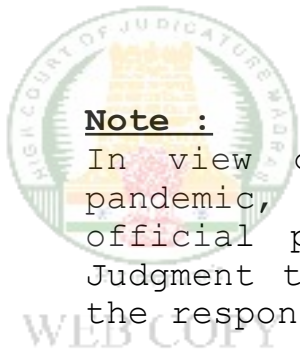
Sd/-

Assistant Registrar(CS-II)

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/ /2021

Sub Assistant Registrar(CS)



Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the Judgment may be utilized for official purposes, but, ensuring that the copy of the Judgment that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

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To:

- 1.The Motor Accident Claims Tribunal,
Principal Subordinate Judge,
Thanjavur.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai(2 copies).

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