



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 25.02.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM**

**C.M.A(MD)NO.1380 of 2011**

**and**

**M.P(MD)No.1 of 2011**

The New India Insurance Company Limited,  
represented through its Branch Manager,  
Opposite to Anna Stadium,  
Palamore Road,  
Nagercoil Post,  
Nagercoil.

:Appellant/Respondent-3

.vs.

1.Celin

2.Jeyamary

3.Arokiya Selvi

4.Rajeswari

5.Peter Selvam

6.Sagayakala

7.Amalageetha

:Respondents/Petitioners

8.John Bensam

:Respondent/Respondent-1

9.Anthony Muthu

:Respondent/Respondent-2

(8<sup>th</sup> respondent is not a necessary party to this appeal and the 9<sup>th</sup> respondent was the second respondent before the Tribunal and remained exparte. Hence notice to R8 and R9 may be dispensed with)

**PRAYER:** Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act praying this Court to set aside the decree and judgment made in M.C.O.P.No.112 of 2007, dated 2.2.2011, on the file of the Motor Accident Claims Tribunal(Sub-Court), Padmanabhapuram.



For Appellant

:Mr.B.Vijay Karthikeyan

For Respondents  
1 to 7

:Mr.C.K.M.Appaji

Respondents  
8 and 9

:Notice dispensed with

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**JUDGMENT**

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The learned counsel for the appellant has circulated a letter dated 11.02.2021 to the Registry seeking permission of this Court to withdraw this Civil Miscellaneous Appeal. The said letter is placed on record

2.In view of the same, this Civil Miscellaneous Appeal is dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

To

1.The Sub Judge,  
Motor Accident Claims Tribunal,  
Padmanabhapuram.

2.The Record Keeper-2 copies  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to Mr.B.VIJAY KARTHIKEYAN, Advocate ( SR-7318[F] dated  
25/02/2021 )

**JUDGMENT MADE IN**  
**C.M.A(MD)NO.1380 of 2011**  
**and**  
**M.P(MD)No.1 of 2011**  
**25.02.2021**

KM (09.03.2021) 2P 5C

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