



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.M.A. (MD) No.272 of 2011

Ramasamy ... Appellant/Petitioner

-vs-

1.R.Thangavel

2.The Branch Manager

The New India Assurance Company Ltd.,

P.P.K.Complex

T.S.No.3548/2 & 3549/1, 2 I Floor

South Main Street

Pudukkottai

... 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 04.09.2010, passed in M.C.O.P.No.137/2008, on the file of the Motor Accident Claims Tribunal / Sub Court, Pudukkottai.

For Appellant : No appearance

For Respondents : R1 - Dismissed
vide Court Order dated 29.11.2017
Mr.B.Vijay Karthikeyan 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 vide order dated 21.12.2020, but so far, it has not been complied with. Subsequently, there was no representation for the appellant when the case was listed on 29.01.2021, 05.02.2021 and 12.02.2021. 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.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /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 Sub Judge,
Motor Accident Claims Tribunal,
Pudukkottai.
- 2.The Record Keeper-2 copies
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.B.VIJAYAKARTHIKEYAN, Advocate (SR-5285[F] dated 16/02/2021)

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