



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2021

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.M.A(MD) No.635 of 2009

1.M.Arumugam

2.A.Sankareswari

.. Appellants/Petitioners

vs.

1.K.Muthuraj

2.The Divisional Manager,

United India Insurance Company Limited,

111-A, Kamarajar Salai,

Sivakasi.

.. Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988, to set aside the decree and judgment passed in M.C.O.P.No.114 of 2000, dated 07.07.2008 on the file of the Motor Accidents Claims Tribunal-cum-Chief Judicial Magistrate, Srivilliputhur.

For Appellants: Mr.M.Ashok Kumar

For R1 : dismissed vide order dated 10.04.2019

For R2 : Mr.J.S.Murali

J U D G M E N T

This Civil Miscellaneous Appeal is directed against the judgment and order of the Motor Accidents Claims Tribunal-cum-Chief Judicial Magistrate, Srivilliputhur passed in M.C.O.P.No.114 of 2000, dated 07.07.2008.

2. The appellants are the parents of the deceased, who died in a Motor Vehicle accident on 28.12.1997. The Tribunal, having found that the offending vehicle was not insured with the second respondent, passed an award against the owner of the vehicle, the first respondent herein.

3. Heard Mr.M.Ashok Kumar, learned counsel appearing for the appellants and Mr.J.S.Murali, learned counsel appearing for the second respondent.

4. It is seen from the records that the appeal against the first respondent came to be dismissed on 10.04.2019 for non-payment of batta, but so far, no steps have been taken to set aside the order. Hence, this appeal is dismissed. No costs.

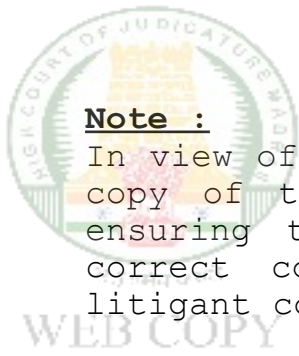
Sd/-

Assistant Registrar (CSII)

// 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 order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Motor Accidents Claims Tribunal-cum-
Chief Judicial Magistrate, Srivilliputhur.

2.The Record Keeper, (2C)
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.S.MURALI, Advocate (SR-3949[F] dated 09/02/2021)

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MJ(CO)
KB(10.03.2021) 2P 5C