



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)

Friday, the Nineteenth day of November Two Thousand Twenty One
PRESENT

The Hon`ble Mrs.Justice R.THARANI
CMA(MD). No.838 of 2013

1. TMT.C.SAROJA,
2. C.RAJESWARI
3. C.VIJAYALAKSHMI

... Appellants/Petitioners

Vs

- 1 THE DIRECTOR,
UNION OF INDIA,
INCOME-TAX,
THIRUCHIRAPALLI.

- 2 C.SARAVANAKUMAR,

- 3 M/S.THIRU AUTO SPARES LTD.,
19,V.N. STREET, PUDUPET,
CHENNAI-2

(R3 IS, IMPEADED VIDE COURT ORDER DATED 30.06.2021,
MADE IN MP(MD).NO.1/15 IN CMA(MD).NO.838/13)

... Respondents

Prayer:-

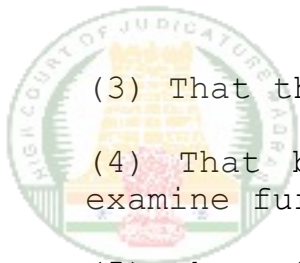
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal cum 2nd Additional Sub Court, Madurai dated 01.09.2005 made in M.C.O.P.No.949 of 2004.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Thursday Twenty first day of October Two Thousand and Twenty One and upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.C.JAWAHAR RAVINDRAN, Advocate for the Appellant and of Mr.T.ANANTHASEKAR, Advocate for the third respondent and the first respondent not appeared either in person or through his counsel, having stood over consideration by this court till this day, while disposing of the appeal and this Court doth order and decree as follows:-

(1) That the award passed by the the judgment and decree of the Motor Accident Claims Tribunal cum 2nd Additional Sub Court, Madurai dated 01.09.2005 made in M.C.O.P.No.949 of 2004, are hereby set aside and the case is remitted back to the Tribunal.

(2) That the Trial Court do restore the petition in its original number and proceed to dispose of the petition in accordance with law and in the light of the observation and directions contained in the Judgment herein.



(3) That the third respondent is to be impleaded in the petition.

(4) That both the parties are at liberty to file statements, to examine further witnesses and to mark further documents.

(5) That the Tribunal be and hereby directed to dispose of the case within a period of four months from the date of receipt of copy of this judgment.

(6) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

2nd Additional Sub Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL, Madurai

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

ORDER DATED : 19/11/2021

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DECREE

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CMA(MD). No.838 of 2013

Nature of Decree:- Disposing
the Civil Miscellaneous
Appeal preferred against the
judgment and decree of the
of the Motor Accident
Claims Tribunal cum 2nd
Additional Sub Court, Madurai
dated 01.09.2005 made in
M.C.O.P.No.949 of 2004 etc.
as stated within.

RD(21.12.2021) 2P 4C