



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

C.M.P (MD)No.845 of 2020

in CMA (MD) SR.No.3580 of 2020

Kalidoss

... Petitioner/Appellant

Vs.

1.M.Prabhakaran

2.The Branch Manager,

ICICI Lambard General Insurance Company,

No.401, 402, New Linkin Road,

Malat West, Mumbai-400064.

... Respondents/Respondent

Prayer in C.M.P (MD)No.845 of 2020: This petition is filed under Section 5 of the Limitation Act, to condone the delay of 1168 days in filing the above appeal in CMA (MD) SR.No.3580 of 2020.

Prayer in CMA (MD) SR.No.3580 of 2020: This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, to set aside the award dated 28.07.2016 passed in MCOP.No.39 of 2014 on the file of the Motor Accidents Claims Tribunal (Subordinate Judge) Sivagangai only with regard to period of deposit and modify the condition to deposit award amount for 3 years and the period already in deposit may be relaxed to enable the petitioner to withdraw the amount in deposit by allowing this Civil Miscellaneous appeal.

For Petitioner : Mr.S.Titus

ORDER

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this civil miscellaneous petition.

2.Permission granted. Accordingly, this civil miscellaneous petition is dismissed as withdrawn. In view of the order passed in CMP (MD)No.845 of 2020, CMA. (MD)SR.No.3580 of 2020 is rejected at the SR stage itself. No costs.

Sd/-

Assistant Registrar (ADII)

// 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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

The Subordinate Judge
The Motor Accidents Claims Tribunal
Sivagangai

WEB COPY

C.M.P (MD) No.845 of 2020
in CMA (MD) SR.No.3580 of 2020

MJ (CO)
KB (26.04.2021) 2P 2C