



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

Thursday, the Third day of February Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMP (MD) Nos.3864,3865,3868 to 3871, 3878,3880 to 3882 & 3884 of 2021
IN

CMA(MD) Nos.112 to 122 of 2011

M/S.BALAJI ALLIANZ GENERAL INSURANCE COMPANY LIMITED
NO.12-G RAM NAGAR,
K.M.A COMPLEX, I FLOOR
BYE PASS ROAD,MADURAI
REP.BY ITS BRANCH MANAGER.

... PETITIONER/PETITIONER/APELLANT
IN ALL PETITIONS

Vs

1 M.DAKSHINAMURTHY

2 M.SURESH KANNAN ...RESPONDENTS/RESPONDENTS/RESPONDENTS
IN CMP (MD) 3864 OF 2021

1 M.PONNAMBALAM

2 M.SURESH KANNAN ...RESPONDENTS/RESPONDENTS/RESPONDENTS
IN CMP (MD) 3865 OF 2021

1 MINOR.P.BARGAVI
REP.BY HER FATHER AND GUARDIAN PALANIKUMAR.

2 M.SURESH KANNAN ...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP (MD) No.3868 of 2021

1 J.SUMATHI

2 M.SURESH KANNAN ...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP (MD) No.3869 of 2021



1 P.LAKSHMI

2 M.SURESH KANNAN

...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP(MD) No.3870 of 2021

1 M.NAGAVALLI

2 M.SURESH KANNAN

...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP(MD) No.3871 of 2021

1 V.POOMAYIL

2 M.SURESH KANNAN

...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP(MD) No.3878 of 2021

1 B.SINGAVALLI

2 M.SURESH KANNAN

...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP(MD) No.3880 of 2021

1 MINOR.K.RAJASEKAR
(REP.BY FATHER AND GURDIAN M.KARPOORAM)

2 M.SURESH KANNAN

...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP(MD) No.3881 of 2021

1 M.MAGESWARI

2 M.SURESH KANNAN

...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP(MD) No.3882 of 2021

1 K.SANTHARALINGAM

2 M.SURESH KANNAN

...RESPONDENTS/RESPONDENTS/RESPONDENTS
in CMP(MD) No.3884 of 2021

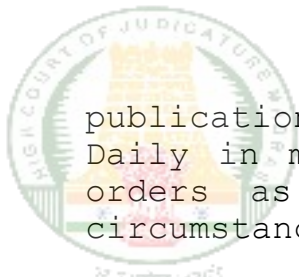
Prayer in CMP(MD)No.3864 of 2021 in CMA(MD)No.112 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.112 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3865 of 2021 in CMA(MD)No. 113 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.113 of 2011 by means of substituted service and by

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



publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3868 of 2021 in CMA(MD)No. 114 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.114 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3869 of 2021 in CMA(MD)No. 115 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.115 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3870 of 2021 in CMA(MD)No. 116 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.116 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3871 of 2021 in CMA(MD)No. 117 of 2011:

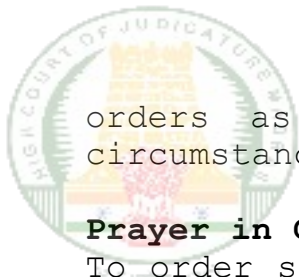
To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.117 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3878 of 2021 in CMA(MD)No. 118 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.118 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3880 of 2021 in CMA(MD)No. 119 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.119 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other



orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3881 of 2021 in CMA(MD)No. 120 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.120 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3882 of 2021 in CMA(MD)No. 121 of 2011::

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.121 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMP(MD) No.3884 of 2021 in CMA(MD)No. 122 of 2011:

To order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA No.122 of 2011 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMA(MD)No. 112 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.9 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 113 of 2011:

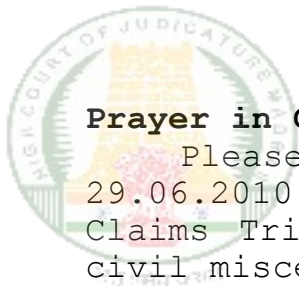
Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.10 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 114 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.11 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 115 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.12 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.



Prayer in CMA(MD)No. 116 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.13 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 117 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.14 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 118 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.15 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 119 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.16 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 120 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.17 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 121 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.18 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

Prayer in CMA(MD)No. 122 of 2011:

Pleased to set aside the fair and decreetal order dated 29.06.2010 made in MCOP No.19 of 2008 on the file of Motor Accidents Claims Tribunal(Chief Judicial Magistrate), Sivagangai, allow this civil miscellaneous appeal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.SRINIVASA RAGHAVAN, Advocate for the petitioner, the court made the following order:-



Since the main appeal was already dismissed as withdraw in Lok Adalat on 11.09.2021, the above Civil Miscellaneous Petition are closed.

sd/-
03/02/2022

WEB COPY

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE CHIEF JUDICIAL MAGISTRATE
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
SIVAGANGAI.

ORDER
IN
CMP (MD) Nos.3864,3865,3868
to 3871, 3878,3880 to 3882
& 3884 of 2021
IN
CMA (MD) Nos.112 to
122 of 2011
Date :03/02/2022

mbi
PKP/JM/SAR-3/09.02.2022/6P/2C