



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

Thursday, the Fourth day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) Nos.10586, 10588 and 10591 of 2019
IN
CMA(MD) No.350 of 2018

IFFCO TOKYO GENERALINSURANCE COMPANY LTD.,
NO.28, 195, 1ST AND 2ND FLOOR,
NORTH USMAN ROAD, T.NAGAR,
CHENNAI 600 017.

... PETITIONER/APPELLANT
IN ALL THE PETITIONS

Vs

1 GANAPATHY (DIED)
REP BY LRS,

2 MURUGAN

... RESPONDENT/RESPONDENT
IN ALL THE PETITIONS

3 RAJAMMAL

4 AZHAGARSAMY

5 BAGYARAJ

6 VALARMATHI

... RESPONDENTS/PROPOSED RESPONDENTS 3-6
IN ALL THE PETITIONS

PRAYER IN CMP(MD)No.10586 of 2019:

To condone the delay of 2070 days in seeking to set aside the abatement caused by the death of the deceased 1st respondent in CMA.No.350 of 2018 on the file of this Honourable Court

PRAYER IN CMP(MD)No.10588 of 2019:

To set aside the abatement caused by the death of the deceased 1st respondent in CMA(MD)No.350 of 2018 on the file of this Hon'ble Court.

PRAYER IN CMP(MD)No.10591 of 2019:

To bring the respondents 3 to 6 herein as the legal representatives of the deceased 1st respondent in the above appeal and record them as respondents 3 to 6 in CMA No.350 of 2018 on the file of this Hon'ble Court.

PRAYER IN CMA(MD)No.350 of 2018:

To set aside the fair and decreetal order dated 05.11.2013 made in MCOP No.544 of 2007 on the file of Motor Accident Claims
<https://hcservices.ecourts.gov.in/hcservices/>



Tribunal, (Additional Sub Judge), Dindigul and allow this Civil Miscellaneous Appeal.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.SRINIVASA RAGHAVAN, Advocate for the petitioner in all the petitions and of Mr.K.GOKUL, Advocate on behalf of the 2nd Respondent in all the petitions, the Court made the following order:-

These Civil Miscellaneous Petitions have been filed to condone the delay of 2070 days in seeking to set aside the abatement caused by the death of the 1st respondent namely Ganapathy, to set aside the abatement caused due to the death of the 1st respondent and to bring on record the legal-heirs of the deceased 1st respondent as respondents 3 to 6 in the main case.

2.Heard both sides. The learned counsel appearing for the respondents has no strong objection for allowing these petitions.

3.Being satisfied with the reasons stated in the affidavit filed in support of these petitions and in the interest of justice, these petitions are allowed on payment of **Rs.3,000/- [Rupees Three thousand only]** to the Chief Justice Relief Fund, within a period of two weeks from the date of receipt of a copy of this order, failing which these petitions shall stand dismissed automatically without further reference to this court.

sd/-

04/03/2021

/ TRUE COPY /

/ /2021

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

TO

THE ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, DINDIGUL.

COPY TO : THE SECTION OFFICER,
ACCOUNTS SECTION, (CHIEF JUSTICE RELIEF FUND),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

IN

CMP(MD) Nos.10586, 10588

and 10591 of 2019

IN CMA(MD) No.350 of 2018

Date :04/03/2021

ER

PK/JC/SAB-II/16-03.2021 : 2P/3C
<https://hcservices.ecourts.gov.in/hcservices/>