



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Sixteenth day of June Two Thousand and Twenty Two

WEB COPY

PRESENT:

The Hon`ble Mrs.Justice R.THARANI

CMA (MD) No.1466 of 2012

K.Selvaraj

... Appellant/Petitioner.

Vs

1.C.PONNUSAMY

2.THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE CO.LTD.,
NO.1783/84,SOUTH NEW STREET,
INDIAN BANK NEAR,
THANJAVUR.

... Respondents/Respondents.

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal(Chief Judicial Magistrate), Karur, dated 31/07/2012 made in M.C.O.P. No.128 of 2011.

DECREE:-This Civil Miscellaneous Appeal is coming on for hearing on Monday, the thirteenth day of June two thousand and twenty two (13/06/2022), upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of T.SELVAKUMARAN, Advocate for the Appellant and of Mr.R.RAVINDRAN, Advocate for the second Respondent and none appeared for the first respondent either in person or by an Advocate and having stood over for consideration till this date, this Court while disposing the appeal, doth order and decree as follows:-

(1) that the award passed by the Motor Accident Claims Tribunal (Chief Judicial Magistrate), Karur, dated 31/07/2012 in M.C.O.P. No.127 of 2011 be and hereby is set aside and the claim petition is remanded back to the Tribunal;

(2) that the Appellant/Claimant be and hereby is permitted to take steps to implead the LR's of the first respondent within three months from the date of receipt of copy of this Order;

(3) that the Tribunal be and hereby is directed to dispose the case within a period of two months therefrom after impleading the LRs of the first respondent and



(4) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS III)

WEB COPY

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal
(Chief Judicial Magistrate), Karur.

Copy to: The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai(2 Copies)

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-26034 dated 16/06/2022)

ORDER DATED : 16/06/2022

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DECREE
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CMA(MD) No.1466 of 2012

Disposing the Civil
Miscellaneous Appeal
preferred against the
judgment and decree of the
Motor Accident Claims
Tribunal (Chief Judicial
Magistrate) Karur, dated
31/07/2012 made in M.C.O.P.
No.128 of 2011 and etc., as
stated within.

SS/01/07/2022/ 2P 5C