



C.M.A(MD)No.1544 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.08.2022

CORAM

THE HONOURABLE MRS.JUSTICE **R.THARANI**

C.M.A(MD)No.1544 of 2011

Branch Manager,
Oriental Insurance Co. Ltd.,
T.T.J.Centre, Opposite to Vadasery Bus stand,
Nagercoil.

... Appellant

Vs

1.Bapin Suresh

2.Moseraj

...Respondents

PRAYER :-

This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 30.11.2010 and made in M.C.O.P.No.144 of 2007 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Tirunelveli and to set aside the same.

For Appellant : Mr.A.Ilango

For R2 : No appearance

JUDGMENT

Records Perused. On 10.04.2019, this Court has granted two weeks time to comply the defects (payment of batta), failing which the delay shall



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stand automatically dismissed, insofar as the respondent, against whom batta was due. But batta was not paid till 29.04.2019 for the first respondent.

2.The matter was listed before this Court on 10.06.2022, 16.06.2022, 27.06.2022, 20.07.2022 and 10.08.2022. On all the hearing dates, the learned counsel for the appellant was not ready for arguments. On 10.08.2022, the case was adjourned to 22.08.2022, under the caption 'for arguments or for orders'.

3.Today(22.08.2022), when the matter was taken up for hearing, the learned counsel for the appellant is not ready to argue the case. Already, sufficient time was granted and hence the appellant is not ready for arguments. There is no use in keeping the case pending any further. This Civil Miscellaneous Appeal is pending from the year 2011. In view of the same, this Civil Miscellaneous Appeal is dismissed for default. No costs.

22.08.2022

Index: Yes / No
Internet : Yes / No

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To

- 1.The Motor Accident Claims Tribunal, Chief Judicial Magistrate,
Tirunelveli.
- 2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.



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