



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

Wednesday, the Seventh day of September Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CMP(MD)Nos.10029 to 10031 of 2019
IN
CMA(MD)No.70 of 2007

1 S.CHITAMBARAM (DIED)

2 C.KRISHNAVENI

3 C.NALINA

4 C.RAMA

... PROPOSED PETITIONERS/PETITIONERS
IN ALL PETITIONS

Vs

1 N.IDRIS

2 NATIONAL INSURANCE COMPANY LTD,
JEROME BUILDING 1ST FLOOR,
FORT STATION ROAD,
TRICHY- 620 002.

... RESPONDENTS/RESPONDENTS
IN ALL PETITIONS

Prayer in CMP(MD) . 10029/ 2019 :

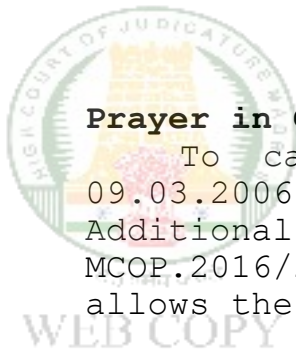
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Condone the Delay 724 days in filing petition to set aside the abatement caused due to the death of the Sole Appellant in the CMA (MD) No. 70 of 2007.

Prayer in CMP(MD) . 10030/ 2019 :

Pleased to set aside the abatement caused due to the death of the Sole Appellant in the CMA(MD) No. 70 of 2007.

Prayer in CMP(MD) . 10031/ 2019 :

Pleased to bring on record proposed petitioners 2 to 4 as legal representatives of the deceased Sole Appellant and rank them as the Appellants 2 to 4 in CMA (MD) No. 70 of 2007.

**Prayer in CMA(MD) . 70/ 2007 :**

To call for the records relating to the award dated on 09.03.2006 passed by the Motor Accident Claims Tribunal, III Additional Subordinate Judge, Trichy District Judgment and Decree in MCOP.2016/2001 and set aside the same, so far quantum is concern and allows the CMA and enhance the award as prayed for.

ORDER : These petitions are coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.B.PRASANNA VINOTH, Advocate for the petitioner in all petitions and of MR.A.ELANGO, Advocate on behalf of the 2nd Respondent in all petitions, the court made the following order:-

These petitions have been filed to condone the delay of 724 days in filing a petition to set aside the abatement caused due to the death of the sole appellant in the CMA(MD).No.70 of 2007 and to set aside the abatement and to bring on record propose petitioners 2 to 4 as legal representatives of the deceased sole appellant and rank them as the appellants 2 to 4.

2. Heard the counsel for the petitioners and the 2nd respondent.

3. Being satisfied with the reasons stated in the affidavit filed in support of these petitions, these petitions are allowed on payment of cost of Rs.1,000/- (Rupees One Thousand only) to the 2nd respondent counsel and that the petitioners counsel have also paid the same today. Accordingly, these petition are allowed.

sd/-

07/09/2022

/ TRUE COPY /

/09/2022

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

TO

THE III ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TRICHY

ORDER

IN

CMP (MD) Nos.10029 to 10031 of 2019

IN

CMA (MD) No.70 of 2007

Date :07/09/2022

trp

PKP/VRS/SAR-2/13.09.2022/2P/2C

<https://www.mhc.tn.gov.in/judis>