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CMA.No.1681 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.02.2023

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.M.A.No.1681 of 2004

National Insurance Co.Ltd.,
by its Branch Manager,
Salem Main Road,
Mettur Dam R.S.2
Salem District

...Appellant

Vs

1. Chinnaswamy
2.K.Purshothaman
3.M/s.Commerical Carriers of India Ltd.,
58, Salaivinayagar koil street,
Chennai – 1.
4.United India Insurance Company Ltd.
Rep by its Branch Manager,
G.M.M.Street,
Chennai 79.

...Respondents

Prayer: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, to set aside the Judgment and Decree passed in MCOP.No.37 of 1999 dated 12.10.2001 on the file of Motor Accident Claims Tribunal (Sub-Court) Krishnagiri.

For Appellant : Mr.R.Sunil kumar



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For Respondents : No appearance for R1, R2 & R4

R3 Dismissed as per order dt 12.11.2022.

J U D G M E N T

This Civil Miscellaneous Appeal is filed to set aside the Judgment and Decree passed in MCOP.No.37 of 1999 dated 12.10.2001 on the file of Motor Accident Claims Tribunal (Sub-Court) Krishnagiri.

2. On 05.11.2019, it was reported that the first respondent was dead and the notice sent to him has been returned on 24.01.2019 with an endorsement “Addressee expired”. His legal representative has not been brought on record. Hence, the appeal stands abated. Thereafter this bundle was sent to the record section with the liberty to revive the appeal following the procedure.

3. Recording the same, this appeal was closed on 05.11.2019 itself.

4. But so far, no steps have been taken to revive the same.



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5. In view of the above, no further adjudication is required in this appeal. Hence, this appeal is dismissed as abated. No costs.

Index : Yes/No
Internet : Yes/No
gv

10.02.2023

To

1.The Motor Accident Claims Tribunal/
(Sub-Court) Krishnagiri.

2.The Section Officer,
VR Section,
High Court, Madras.



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A.A.NAKKIRAN.,J.
gv

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