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C.M.A.No.3494 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

C.M.A.No.3494 of 2017

1.Kumutha (died) ... 1st Appellant/1st Respondent
2.E.Geethesan ... 2nd Appellant
[A2 – brought on record as LR of the deceased sole
appellant vide order dated 17.09.2018 made in
C.M.P.Nos.16766 & 16767 of 2018 in C.M.A.No.3494 of 2017]

Vs.

1.Parvathi
2.Chinnaponnu ... Respondents 1 & 2 / Petitioners 1 & 2
3.The United India Assurance Co. Ltd.,
Suramangalam, Salem.
4.The Branch Manager,
The New India Assurance Company Ltd.,
No.7, Ramalinga Madalaya Street,
Gugai, Salem – 636 006. ... Respondents 3 & 4 / Respondents 2 & 3

Prayer : Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the Judgment and Decree dated 01.08.2017 made in M.C.O.P.No.198 of 2010 on the file of MACT/ III Additional District Judge at Kallakurichi.

For Appellant : M/s.K.Santhanam – No appearance

For Respondents : Mr.B.Vasudevan [R1 & R2]
Nor Ready in Notice [R3]



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C.M.A.No.3494 of 2017

M/s.C.Sangamitharai [R4]

M.DHANDAPANI, J.

sp

JUDGEMENT

When this matter came up for hearing on earlier two occasions, i.e. 06.11.2023 and 08.11.2023, there was no representation on behalf of the appellant. In order to give one more opportunity, this Court has directed this matter to be listed today i.e., 10.11.2023 under the caption “For Dismissal”.

2. Even today, when this matter is called, none appeared for the appellant. Thus, it shows that the appellant is not interested to prosecute this case any further. Hence, this Civil Miscellaneous Appeal is dismissed for non-prosecution. No costs.

10.11.2023

Index : Yes / No

Speaking order / Non-speaking order

Netrual Citation Case : Yes / No

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To

1.The MACT/ III Additional District Judge, Kallakurichi.

2.The Section Officer, V.R.Section, High Court, Madras.



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