



C.M.A.No.696 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.M.A.No.696 of 2017

K.Logeshwaran
S/o.Kittanasamy

... Appellant / Petitioner

Vs.

1. Kittanasamy
S/o.Sankarappa Gounder

2. The National Insurance Company Limited,
1st Floor, RVR Building No.157,
Karamadai Road,
Mettupalayam,
Coimbatore.

... Respondents / Respondents

PRAYER : Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 07.04.2014 made in M.C.O.P.No.162 of 2013 on the file of the Motor Accidents Claims Tribunal / Sub Court at Gobichettipalayam.



C.M.A.No.696 of 2017

For Appellant : Mr.M.A.P.Thangavel

For Respondents : No appearance for R1 and R2

J U D G M E N T

When the matter is taken up for hearing, the learned counsel appearing for the appellant / claimant seeks permission of this Court to grant liberty to the claimant to work out his remedy before the Workmen Compensation Court, since the victim's father, who is the employer, has paid premium for the employee.

2. Considering the limited request made by the learned counsel appearing for the appellant / claimant, this Court without going into the merits of the case, grants liberty to the appellant / claimant to work out his remedy in the manner known to law. The period during which the appeal has been pending on the file of this Court as well as before the Claims Tribunal shall be excluded for the purpose of computing the limitation.



C.M.A.No.696 of 2017

3. Accordingly, this Civil Miscellaneous Appeal is disposed of.

No costs.

12.10.2023

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji

To

1. The Motor Accidents Claims Tribunal
/ Sub Court,
Gobichettipalayam.

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



WEB COPY



C.M.A.No.696 of 2017

M.DHANDAPANI, J.

vji

C.M.A.No.696 of 2017

12.10.2023