



WEB COPY



CMA.No.1969 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

C.M.A.No.1969 of 2019

and

Cross.Obj.No.71 of 2022

In CMA.No.1969 of 2019

Sengodan

.. Appellant

Vs.

1.K.Radhakrishnan
(set ex parte before the tribunal)

2.K.Karupannan
(set ex parte before the tribunal)

3.The Oriental Insurance Company Ltd.,
PLA Building 1st floor,
No.12/A, Kovai Road
Karur – 639 002

...Respondents

Prayer : The Civil Miscellaneous Appeal is preferred under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 23.01.2015 made in MCOP.No.609 of 2008 on the file of the Motor Accident Claims Tribunal (Subordinate Court, Sankari)

For Appellant : Mr.A.R.Suresh

For Respondents : Mr.M.J.Vijayaraghavan for R3



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In Cross.Obj.No.71 of 2022

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The Oriental Insurance Company Ltd.,
PLA Building 1st floor,
No.12/A, Kovai Road
Karur – 639 002

...Cross Objector

Vs.

1.Sengodan
2..K.Radhakrishnan
(set ex parte before the tribunal)

3.K.Karupannan
(set ex parte before the tribunal)

...Respondents

Prayer : The Cross Objection is filed under Order XLI Rule 22 of CPC against the judgment and decree dated 23.01.2015 made in MCOP.No.609 of 2008 on the file of the Motor Accident Claims Tribunal (Subordinate Court, Sankari for which the cross objector has served notice of appeal on 17.07.2019.

For Appellant : Mr.M.J.Vijayaraghavan

For Respondents : Mr.A.R.Suresh for R1

JUDGMENT

When this appeal came up for hearing on 24.04.2023, there was no representation on either side. Hence, this court has directed the Registry to post the matter today under the caption 'for dismissal' and accordingly it is listed today.



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2. Today the learned counsel for the appellant has submitted that the sole appellant died.

3. Recording the submission made by the learned counsel for the appellant, this Civil Miscellaneous Appeal is dismissed as abated.

4. In view of the dismissal of the Civil Miscellaneous Appeal, the connected Cross Objection is also dismissed. No costs.

25.04.2023

Index : Yes/No

Internet: Yes/No

gv



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CMA.No.1969 of 2019

A.A.NAKKIRAN, J.

gv

To:

- 1.The Motor Accident Claims Tribunal
(Subordinate Court, Sankari)
2. The Section Officer,
VR Section,
High Court, Madras

**C.M.A.No.1969 of 2019
and
Cross.Obj.No.71 of 2022**

25.04.2023