



C.M.P(MD).No.8829 of 2021
in
C.M.A(MD).No.SR7781 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

C.M.P.(MD) No.8829 of 2021
in
C.M.A(MD).SR.No.7781 of 2021

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Periyasamy (died)

- 1.Perumal
- 2.Subbaiyan
- 3.Palanichamy
- 4.Velammal
- 5.Chinnammal
- 6.Parvathi
- 7.Thayammal

...Appellants/ Petitioners

Vs.

- 1.T.Pandiyan
- 2.Thangam
- 3.The United India Insurance Company Ltd.,
Rep., by its Branch Manager,
United India Insurance Office,
Theni Periyakulam Road,
Theni District.

... Respondents/ Respondents

PRAYER: This Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act, 1988, to condone the delay of 816 days in filing the main civil miscellaneous appeal in C.M.A.(MD).SR.No. Of 2020 as against the award dated



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27.07.2018 passed in M.C.O.P.No.49 of 2015 on the file of the learned Motor Accidents Claims Tribunal, Theni.

For Appellants : No appearance

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Periyasamy (died)

- 1.Perumal
- 2.Subbaiyan
- 3.Palanichamy
- 4.Velammal
- 5.Chinnammal
- 6.Parvathi
- 7.Thayammal

..Appellants 1 to 6/Claimants 2 to 7

...7th Appellant/LR's of deceased

Periyasamy & 1st Claimant

Vs.

- 1.T.Pandiyan
- 2.Thangam
- 3.The United India Insurance Company Ltd.,
Rep., by its Branch Manager,
United India Insurance Office,
Theni Periyakulam Road,
Theni District.

... Respondents/ Respondents

PRAYER: This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, as against the fair and decretal order passed in M.C.O.P.No.49 of 2019 dated 27.07.2018 on the file of the learned Motor Accidents Claims Tribunal, Theni.



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ORDER

When the matter was listed on 03.03.2023, there was no representation on the side of the petitioners. Hence, the matter is posted 'for dismissal' today (i.e., 15.03.2023). Even today, there is no representation on the side of the petitioners. Therefore, the Civil Miscellaneous Petition is dismissed for non-prosecution. Accordingly, the Civil Miscellaneous Appeal is rejected at the SR stage itself.

15.03.2023

Index : Yes/No

Internet : Yes/No

Rmk

To

- 1.The Motor Accident Claims Tribunal,
Theni.
- 2.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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N.SATHISH KUMAR, J.

Rmk

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15.03.2023