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C.M.P.(MD) No.5875 of 2023
in
C.M.A.(MD) SR No.26553 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

C.M.P.(MD) No.5875 of 2023
in
C.M.A.(MD) SR No.26553 of 2023
and
C.M.A.(MD) SR No.26553 of 2023

1.Anisha
2.Minor Akshara
3.Navaneethakrishnan
4.Lalithakrishnan

... Petitioners

-VS-

Ajay (died)

1.HDFC ERGO General Insurance
Company Limited,
through its Branch Manager,
Old No.559, New No.528, 2nd Floor,
Anna Salai, Thenampettai, Chennai – 600 018.



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2.Babitha S.Thulasi
3.Minor Neethu
4.Minor Joshwa
5.Kanmani
6.Govindhankutty

... Respondents

C.M.P.(MD) No.5875 of 2023
in
C.M.A.(MD) SR No.26553 of 2023

PRAYER (in C.M.P.(MD) No.5875 of 2023): Civil miscellaneous petition filed under Section 24(3) of the Motor Vehicle Act, to exempt the petitioner from paying the Court fee of Rs.49278 in C.M.A.(MD) SR No.26553 of 2023.

PRAYER (in C.M.A.(MD) SR No.26553 of 2023): Civil Miscellaneous Appeal filed under Section 24(3) of the Motor Vehicle Act, 1988, to set aside the order, dated 02.12.2022, passed in M.C.O.P.No.983 of 2017, by the Motor Accident Claims Tribunal (Special Sub Court dealing with MCOP cases), Tirunelveli.

For Petitioners : Mr.V.Kannan

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

This civil miscellaneous petition is filed to exempt the petitioners from paying the Court fee of Rs.49,273/- in the above civil miscellaneous appeal.



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2. In view of the order dated 05.05.2022, passed in C.M.P.No.4119 of 2022 in C.M.A.(SR) No.19930 of 2022 etc. batch, this civil miscellaneous petition is dismissed as not maintainable with liberty to the petitioner to move under Order XLIV of the Code of Civil Procedure, 1908. Consequently, C.M.A. (MD) SR No.26553 of 2023 is rejected.

[R.S.M., J.]

[L.V.G., J.]

21.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PKN

To:

1.The Motor Accident Claims Tribunal
(Special Sub Court dealing with MCOP cases),
Tirunelveli.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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