



CMP(MD). No.9809 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Ninth day of August Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD). No.9809 of 2018
in
CMA(MD) No.519 of 2012

- 1.Suthabai
- 2.Vijayakumar
3. Babu
- 4.Regu
- 5.Nirmala
- 6.Vijila Rani
- 7.Sree Latha

... Proposed Respondents 6 to 13

Vs

- 1 The Branch Manager
The New India Assurance Co Ltd
Nagercoil.
- 2 Chinnaiyan Nadar (Died)
- 3 Kannammal
- 4 Stephen
- 5 Nirmala

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6 The Branch Manager
National Insurance Company Ltd
Nagercoil.

... Respondents/ Respondents

Prayer in CMP(MD). No.9809 of 2018:-

Petition filed under section 151 of CPC to accept the cause title in C.M.A(MD) No.519 of 2012 and pass such further or other orders as this Honourable Court.

Prayer in CMA(MD) No.519 of 2012:-

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree passed in MCOP No.20 of 2008, dated 18.11.2011, on the file of the Motor Accident Claims Tribunal (Sub Court), Kulithurai and set aside the same.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of S.C.Herold Singh Advocate for the Petitioner and of Mr.G.Prabhu Raja Durai Advocate for the 1st Respondent, and Mr.S.Srinivasa Ragavan, learned counsel for the 6th Respondent, this Court made the following order:

The Civil Miscellaneous Petition has been filed seeking orders to accept the cause title in CMA(MD)No.519 of 2012.

2. When the matter is taken up for hearing today, the learned counsel for the petitioner would submit that the earlier application for impleading the legal heirs of the first respondent before the trial Court was returned and the papers were misplaced.

3. The learned counsel for the petitioner would submit that they may be



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permitted to file another application for the very same relief.

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4. Recording the said submission made by the learned counsel for the petitioner, the petitioner is at liberty to file another application before the trial Court.

5. Accordingly, Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/08/2023

Sub Assistant Registrar(CS)

das

TO

The Subordinate Judge,
Motor Accident Claims Tribunal, Kulithurai.

+1. CC to M/S.S.C.HEROLD SINGH, Advocate SR.No.38040

+1. CC to M/S.S.SRINIVASA RAGHAVAN, Advocate SR.No.38111

ORDER DATED : 09/08/2023

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ORDER

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CMP(MD). No.9809 of 2018

in

CMA(MD)No.519 of 2012

Giving direction and etc.
as stated within.

RD(30/08/2023) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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