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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

C.M.A(MD)No.138 of 2023
and
C.M.P(MD)No.1315 of 2023

The Managing Director,
Tamil Nadu State Transport Corporation,
Periyamilaguparai,
Trichy. :Appellant/Appellant

.VS.

V.Krishnamoorthy :Petitioner/Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act against the award and decree made in M.C.O.P.No.55 of 2016, dated 10.08.2022, on the file of the Motor Accidents Claims Tribunal/Special Sub-Judge, Tiruchirappalli.

For Appellant :No appearance

JUDGMENT

This Court by order, dated 09.02.2023 granted an order of interim stay in favour of the appellant on condition to deposit 50% of the award amount within a period of eight weeks and the



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matter is directed to be listed on 11.04.2023. When the matter was taken up for hearing on 11.4.2023, since the conditional order not complied with, interim stay already granted on 9.2.2023 is not extended and again the matter is adjourned to 09.06.2023(today), for hearing .When the matter is taken up for hearing today, there is no representation on behalf of the appellant either in person or through counsel. This shows that the appellant is not interested in prosecuting the appeal further. Hence this Court has no other option except to dismiss the appeal for non-prosecution.

2.Accordingly, the Civil Miscellaneous Appeal is dismissed for non-prosecution. No costs.Consequently, connected Miscellaneous Petition is closed.

09.06.2023

Index:Yes/No

Internet:Yes/No

NCC:Yes/No

vsn

To

1.The Motor Accidents Claims Tribunal,
(Special Sub-Judge),
Tiruchirappalli.



2. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

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N.SATHISH KUMAR.,J.

vsn

JUDGMENT MADE IN
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and
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