



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Tenth day of January Two Thousand and Twenty Three

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PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP(MD) Nos.153 & 154 of 2023

in

CMA(MD) SR.Nos.21955 & 21927 of 2015

KALPANA DEVI

... PETITIONER/PETITIONER/APPELLANT
IN CMP(MD)No.153 OF 2023

SAROJA

...PETITIONER/PETITIONER/APPELLANT
IN CMP(MD)No.154 of 2023

Vs

1 GANESH

2 UNITED INDIA INSURANCE COMPANY LIMITED,
THROUGH ITS DIVISIONAL MANAGER,
NO.1, POST OFFICE ROAD,
PALAYAMKOTTAI.

3 JAKEER

4 SHRI RAM GENERAL INSURANCE COMPANY LIMITED,
THROUGH ITS BRANCH MANAGER,
NO.8, RIICO, INDUSTRIAL AREA,
SITAPURA, JAIPUR,
RAJASTHAN - 302 022.

... RESPONDENT/RESPONDENTS/RESPONDENTS
IN BOTH PETITIONS

Prayer in CMP(MD)No.153 of 2023:

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to take substituted service notice to respondents 1 and 3 by any one of the Tamil Daily News Paper in Chennai.

PRAYER IN CMA(MD) SR.No.21927 OF 2015:

To allow this appeal and enhance the award amount in M.C.O.P.No.164 of 2011 on the file of the Motor Accident Claims Tribunal (Additional Sub Court), dated 29.04.2014.



Prayer in CMP(MD)No. 154/ 2023 :

To permit the petitioner to take substituted service notice to respondents 1 and 3 by any one of the Tamil Daily News Paper in Chennai.

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Prayer in CMA(MD)SR.No.21955 of 2015:

Pleased to allow this appeal and enhance the award amount in M.C.O.P.No. 165 of 2011 on the file of the Motor Accident Claims Tribunal (Additional District Court) Tirunelveli, dated 29.04.2014.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.T.SELVAKUMARAN, Advocate for the petitioners in both petitions,made the following order:-

These petitions have been filed to take substituted service for the respondents 1 and 3.

2. The learned counsel appearing for the petitioners submits that earlier notices taken to the respondents 1 and 3 were returned with an endorsement as "gone to America", hence, he has filed the present petitions to take substituted service for the respondents 1 and 3.

3. Considering the facts and circumstances, these petitions are allowed and the petitioners counsel is permitted to take substituted service for the respondents 1 and 3 in a vernacular daily Newspaper viz., Tamil Murasu having circulation in Chennai, by duly indicating the next date of hearing as 06.02.2023. The said exercise shall be completed on or before 31.01.2023 and the proof of paper publication should be filed before the Registry on or before 02.02.2023.

4. Registry is directed to post the matters on 06.02.2023.

sd/-

10/01/2023

/ TRUE COPY /

/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.



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IN CMP(MD)



23

2 THE ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

ORDER
IN
CMP(MD) Nos.153 & 154 of 2023
in
CMA(MD) SR.Nos.21955 &
21927 of 2015
Date :10/01/2023

PKP/MMS/SAR-1/19.01.2023/3P/3C