IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

TUESDAY, THE 23RD DAY OF JULY 2024 / 1ST SRAVANA, 1946

OP (MAC) NO. 35 OF 2024

AGAINST THE JUDGMENT DATED 31.07.2015 IN OPMV NO.1076 OF 2000 OF I ADDITIONAL DISTRICT COURT & I ADDITIONAL MOTOR ACCIDENT CLAIMS TRIBUNAL, KOLLAM

PETITIONER:

SREEKUMAR
AGED 54 YEARS
S/O.SIVAPALAN PILLAI, RAMAMANDIRAM, CHENTHAPUR, DECENT JUNCTION, MUKHATHALA, KOLLAM, PIN - 691577

BY ADVS.
PRATHEESH.P
ANJANA KANNATH
MARIYA JOSE
JOSHNA JOY

RESPONDENTS:

1 **I.KRISHNAN**
S/O.IYAMKANAN NADAR, I/114-B, VENTILINGAPURAM, NEDUVAKURICHI P.O, SANKARANKOVIL, THIRUNELVELI, PIN - 627862

2 **THE NEW INDIA ASSURANCE CO. LTD**
CATHOLIC CENTRE, 913 MAIN ROAD, KOVILPETTI, THIRUNELVELI REPRESENTED BY ITS MANAGER, PIN - 628501

3 **THENAMMAL**
W/O.KANTHIMATHINATAN, 4/42, VEERASIGAMANI P.O, SANKARANKOVIL, THIRUNELVELI -, PIN - 627862

4 **ANAND**
S/O. KANTHIMATHINATAN, 4/42, VEERASIGAMANI P.O, SANKARANKOVIL, THIRUNELVELI -, PIN - 627862

5 **KOADISWERAN**
S/O. KANTHIMATHINATAN, 4/42, VEERASIGAMANI P.O, SANKARANKOVIL, THIRUNELVELI, PIN - 627862

THIS OP (MAC) HAVING COME UP FOR ADMISSION ON 23.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner has approached this Court by filing this original petition for setting aside the order in I.A.No.339/208 dated 31.07.2015 passed by the 1st Addl. Motor Accident Claims Tribunal, Kollam in OP(MV) No. 1076/2000. The petitioner in OP(MV) No. 1076/2000 got dismissed four times for non-prosecution.

The OP(MV) was filed way back in 2000, now we are in 2024 and therefore, I am of the considered view that this Court cannot grant any indulgence in this petition and therefore, it is hereby dismissed.

Sd/- DINESH KUMAR SINGH,
JUDGE

lsn

APPENDIX OF OP (MAC) 35/2024

PETITIONER EXHIBITS

Exhibit P1	**THE COPY OF THE ORDER IN OP(MV) NO.1076/2000 DATED 31.3.2006 ON THE FILE OF MACT, KOLLAM ALONG WITH READABLE COPY**
Exhibit P2	**THE COPY OF THE ORDER IN I.A NO.557/2010 IN OP(MV) NO.1076/2000 ON THE FILE OF IST ADDL. MACT, KOLLAM DATED 22.5.2014**
Exhibit P3	**THE COPY OF THE ORDER PASSED BY THE IST ADDL. MACT, KOLLAM IN I.A NO.1244/2011 IN OP(MV) NO.1076/2000 DATED 7.3.2012**
Exhibit P4	**THE COPY OF THE ORDER IN I.A NO.603/2012 IN OP(MV) NO.1076/2000 DATED 4.4.2014**
Exhibit P5	**THE COPY OF THE ORDER PASSED BY THE IST ADDL. MACT, KOLLAM IN I.A NO.604/2012 IN OP(MV) NO.1076/2000 DATED 22.5.2014**
Exhibit P6	**THE COPY OF THE ORDER IN I.A NO.67/2015 IN OP(MV) NO.1076/2000 DATED 12.5.2015**
Exhibit P7	**THE COPY OF THE ORDER PASSED BY THE IST ADDL. MACT, KOLLAM IN I.A NO.339/2008 IN OP(MV) NO.1076/2000 DATED 31.7.2015**
Exhibit P8	**THE COPY OF THE ORDER IN OP(MV) NO.249/2018 DATED 31.1.2022 ON THE FILE OF MACT, KOLLAM**
Exhibit P9	**THE DISABILITY CERTIFICATE ISSUED BY THE DOCTOR, WHO TREATED THE PETITIONER AT MEDICAL COLLEGE, THIRUVANANTHAPURAM DATED 8.10.2007**

RESPONDENTS EXHIBITS: NIL

TRUE COPY

P.A TO JDUGE

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