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C.M.A.No.859 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

C.M.A.No.859 of 2020 and
C.M.P.No.5560 of 2020

National Insurance Co.Ltd.,
2nd Floor, 81-D, Chetty Street,
Opp. To Bus stand
Tiruchengod,
Namakkal District.

... Appellant

Vs.

1. Prabakaran
2. S.C.P.Ilangovan
3. A.Anbu
4. National Insurance Co. Ltd.,
88-F, Bye-Pass Road,
Dharmapuri.

... Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the decree and judgment dated 27.03.2014 made in MCOP.No.900 of 2013 on the file of the Court of the Special Sub Judge (MACT), Krishnagiri.

For Appellant : Mr.S.Vadivel
For Respondents : Mr.N.Desinghu [R1]
Not ready in Notice [R2]
R3 and R4 [given up in Bata]



C.M.A.No.859 of 2020

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JUDGMENT

The above appeal is filed by the appellant/claimant seeking to set aside the Judgment and Decree dated 27.03.2014 passed in MCOP.No.900 of 2013 by the learned Special Sub Judge (MACT), Krishnagiri.

2. When the matter is taken up for hearing, the learned counsel appearing for the appellant / insurer of the bus submitted that the entire compensation awarded by the Tribunal in MCOP.No.900 of 2013 was deposited to the credit of MCOP. The learned counsel for the first respondent submits that first respondent / claimant has withdrawn the said compensation. Hence, nothing survives for adjudication in the above appeal.

3. In the light of the above, this Civil Miscellaneous Appeal is dismissed as infructuous. No costs. Connected miscellaneous petition is closed.

26.11.2024

Index : Yes / No
Speaking order / Non-speaking order
Netrual Citation Case : Yes / No
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C.M.A.No.859 of 2020

To

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1. The Court of the Special Sub Judge (MACT), Krishnagiri.
2. The Section Officer, V.R.Section, High Court, Madras.



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C.M.A.No.859 of 2020

M.DHANDAPANI, J.

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C.M.A.No.859 of 2020

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