



C.M.P.(MD).No.1283 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.02.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

C.M.P.(MD).No.1283 of 2024
in
C.M.A.(MD).SR.No.73786 of 2023

Vittalis Packiaraj

.. Petitioner/Appellant

Vs.

1.Namachivayam

2.Divisional Manager,
National Insurance Ltd,
Branch Office, Tuticorin,
No.92, 2nd Floor, Thevarpuram Road,
Near Court Complex,
Tuticorin.

3.Ramkumar

.. Respondents/Respondents

PRAYER in C.M.P.(MD).No.1283 of 2024: Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code, praying to exempt the payment of full Court fee of Rs.38,399.50/- until the disposal of the above Civil Miscellaneous Appeal and subsequent claim of award.

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PRAYER in C.M.A.(MD).SR.No.73786 of 2023: Appeal filed under Section 173 of Motor Vehicles Act 59 of 1988, praying to allow this Civil Miscellaneous Appeal and to set aside the fair and decretal order dated 05.12.2022 passed in M.C.O.P.No.45 of 2022 on the file of Motor Accident Claims Tribunal, Additional District Court, Ramanathapuram and enhance the award amount and direct the second respondent Insurance Company to pay the compensation.

For Petitioner : No appearance

ORDER

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

There is no representation for the petitioner. Even on the last hearing date, i.e., on 08.02.2024, there was no representation for the petitioner.

2. The present petition to exempt payment of Court fee is dismissed since the petitioner/appellant has been awarded with compensation by the Tribunal and has sufficient source to pay the Court fee in the appeal



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preferred for enhancement of compensation. There shall be no order as to costs. Consequently, C.M.A.(MD).SR.No.73786 of 2023 is rejected.

(G.J.,J.) (C.K.,J.)
14.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

- 1.The Motor Accident Claims Tribunal,
Additional District Court,
Ramanathapuram.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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