



C.M.P(MD)No.5488 of 2024 in C.M.A(MD)No.SR26572 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.M.P(MD)No.5488 of 2024
in
C.M.A(MD)No.SR26572 of 2024

Sundaravalli

... Appellant / Petitioner No.1

Vs

1.J.Thangapandian

2.The Branch Manager,
New India Assurance Company Limited.,
CMTS Bhavan, 7 feet road, Ellis Nagar,
Madurai.

3.Karuppaiah

4.Thavamani

(The Appeal is given up against the respondent Nos.3 and 4)

... Respondents

Prayer in **C.M.P(MD)No.5488 of 2024** : Civil Miscellaneous Petition is filed under Section 173(1) of Motor Vehicles Act, 1988, to condone the delay of 191 days in preferring the appeal against the judgment passed on 15th June 2023 passed in M.C.O.P.No.302 of 2019 on the file of the



C.M.P(MD)No.5488 of 2024 in C.M.A(MD)No.SR26572 of 2024

Motor Accidents Claims Tribunal / Special District Judge (MACT) of Madurai and take the appeal into file.

Prayer in **C.M.A.(MD)No.SR26572 of 2024** : Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, to enhance the quantum of compensation award to the tune of Rs.7,29,404/- that apart from the amount of compensation already awarded on 8th June, 2023 passed in M.C.O.P.No.254 of 2019 on the file of the Motor Accidents Claims Tribunal / Special District Judge (MACT), Madurai.

For Petitioner : No appearance

JUDGMENT

When the matter was taken up for hearing on 17.04.2024, there was no representation for the appellant. Hence, the matter was directed to be posted today under the caption 'for dismissal'. Even today, there is no representation for the appellant. Hence, this Court is left with no other option except to dismiss this Civil Miscellaneous Petition for default.



C.M.P(MD)No.5488 of 2024 in C.M.A(MD)No.SR26572 of 2024

2. Accordingly, this Civil Miscellaneous Petition is dismissed for default and the Civil Miscellaneous Appeal is rejected at the SR stage itself.

05.06.2024

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

pnn

To

1. The Motor Accidents Claims Tribunal
/ Special District Judge (MACT), Madurai.
- 2.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



C.M.P(MD)No.5488 of 2024 in C.M.A(MD)No.SR26572 of 2024

G.ILANGO VAN, J.

pnn

ORDER
IN
C.M.P(MD)No.5488 of 2024
in
C.M.A(MD)No.SR26572 of 2024

05.06.2024