



**CMA(MD)No.813 of 2018**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )  
Wednesday, the Third day of July Two Thousand and Twenty Four  
PRESENT**

**The Hon`ble Mr.Justice R.VIJAYAKUMAR**

**C.M.P(MD) No.16871 of 2023**

**in**

**CMA(MD)No.813 of 2018**

M/S.ORIENTAL INSURANCE COMPANY LTD.,  
39/40, WORKSHOP ROAD,  
SARATHA SHOPPING CENTRE,  
SIMMAKKAL,  
MADURAI 625 003.

... APPELLANT/2ND RESPONDENT

**Vs**

1.ANJAMMAL

2.MINOR JOTHIMANI

3.MINOR JOTHIKA

4.MINOR LASHMI PRIYA

... RESPONDENTS 1 TO 4/

PETITIONERS 1 TO 4

(MINOR RESPONDENTS 2 TO 4 ARE REPRESENTED BY NEXT FRIEND OF THEIR MOTHER ANJAMMAL)

5.AMMAKANNU

... 5TH RESPONDENT/5TH PETITIONER

W/O.LATE.KARUTHAKKANNU

(RELATIONSHIP OF R5 AMENDED VIDE COURT ORDER DATED DATED 18.08.2023 MADE IN CMP(MD)NO.9986 OF 2023 IN CMA(MD)NO.813 OF 2018)

6.THIRUMENI

... 6TH RESPONDENT/1ST RESPONDENTS

(R6 GIVEN UP)

Prayer :- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree passed in M.C.O.P.No.5241 of 2013,

<https://www.mhc.tn.gov.in/judis>



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dated 06.03.2017, on the file of the learned Motor Accident Claims Tribunal-cum-Special District Judge, Trichy.

ORDER:- This Civil Miscellaneous Appeal coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.E.Chandrasekaran, Advocate for the Appellant and of Mr.M.Arumugam, Advocate for the Respondents 1 to 5, this Court made the following order:-

This petition has been filed by the petitioner/appellant/Insurance Company to mark the Chemical Analysis Report of the deceased person in M.C.O.P.No.5241 of 2013, on the file of the learned Motor Accident Claims Tribunal-cum-Special District Judge, Trichy.

2. According to the learned counsel appearing for the petitioner, this documents was made ready only on 07.09.2017, that is after the disposal of the claim petition.

3. However, the learned counsel appearing for the respondents raised an objection that there are no pleadings to the effect that the deceased was at the drunken state at the time of accident. The said issue would be decided at the time of

hearing the appeal. This Civil Miscellaneous Petition stands allowed and this



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document is taken on record.

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4. Registry is directed to mark the said document as Ex.R1.

Sd/-

Assistant Registrar (CO)

// True Copy //

/08/2024

Sub Assistant Registrar  
(CS-I, II, III, IV)

ebsi

TO

The Special District Judge,  
Motor Accident Claims Tribunal,  
Trichy.

Copy to:

The Section Officer,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai. (2 Copies)



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**CMA(MD)No.813 of 2018**

ORDER DATED : 03/07/2024

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ORDER

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**C.M.P(MD) No.16871 of 2023**

**in**

**CMA(MD)No.813 of 2018**

Giving direction and etc.  
as stated within.

RD(30/08/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.