



WEB COPY

CMP No. 10179 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CMP NO. 1931 OF 2025,CMP NO. 1925 OF 2025,CMP NO. 1938 OF 2025
in C.M.P.No. 10179 of 2024 in CMA SR NO. 55011 OF 2024**

1. The Divisional Manager
The New India Assurance Company
Ltd DO , 1 Bharathi Road, Cuddalore
607 001.

Appellant(s)

Vs

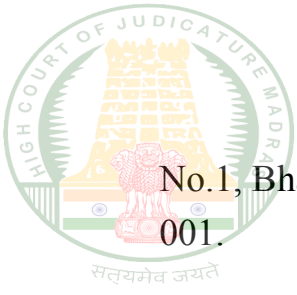
1. P Murugesan
S/o.Perumal, No.50(3) Thiruvalluvar
Nagar, Nellikuppam, Panruti Taluk,
Cuddalore 607 105.

2.M.B.Suresh
Proprietor, Supraha Driving School,
1/6, 7th Street, Jai Nagar, Arumbakkam,
Chennai 600 106.

Respondent(s)

CMP No. 1931 of 2025

1. The Divisional Manager,
The New India Assurance Co. Ltd,



No.1, Bharath Road, Cuddalore 607
001.

WEB COPY

Appellant(s)

Vs

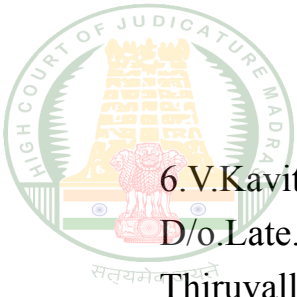
1. P. Murugesan (since Deceased) 1. M
B Suresh
Suprah Driving School, 1/6, 7th Street,
Jai Nagar, Arumbakkam, Chennai 600
106.

2.VIRUTHAMBAL
W/o. Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105

3.A. Latha
D/o.Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105

4.C. Anitha
D/o.Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105

5.Annapoorani
D/o.Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105



6.V.Kavitha

D/o.Late. P. Murugesan, No 50/3

Thiruvallur Nagar Nellikuppam

Melpathi Village Town Panruti Tk

Cuddalore Dt 607 105

7.M. Venkatesa Prabu

S/o.Late. P. Murugesan, No 50/3

Thiruvallur Nagar Nellikuppam

Melpathi Village Town Panruti Tk

Cuddalore Dt 607 105

8.M. Sundaramoorthy

S/o.Late. P. Murugesan, No 50/3

Thiruvallur Nagar Nellikuppam

Melpathi Village Town Panruti Tk

Cuddalore Dt 607 105

Respondent(s)

CMP No. 1925 of 2025

1. The Divisional Manager The New

India Assurance Co Ltd

No1 Bharath Road Cuddalore 607 001

Appellant(s)

Vs

1. P. Murugesan (since deceased) 1. M

B Suresh

2.Viruthambal

No 50/3 Thiruvallur Nagar

Nellikuppam Melpathi Village Town

Panruti Tk Cuddalore Dt 607 105



3.A Latha

No 50/3 Thiruvallur Nagar

Nellikuppam Melpathi Village Town

Panruti Tk Cuddalore Dt 607 105

4.C Anitha

No 50/3 Thiruvallur Nagar

Nellikuppam Melpathi Village Town

Panruti Tk Cuddalore Dt 607 105

5.Annapoorani

No 50/3 Thiruvallur Nagar

Nellikuppam Melpathi Village Town

Panruti Tk Cuddalore Dt 607 105

6.V Kavitha

No 50/3 Thiruvallur Nagar

Nellikuppam Melpathi Village Town

Panruti Tk Cuddalore Dt 607 105

7.M Venkatasu Prabu

No 50/3 Thiruvallur Nagar

Nellikuppam Melpathi Village Town

Panruti Tk Cuddalore Dt 607 105

8.M Sundaramoorthy

No 50/3 Thiruvallur Nagar

Nellikuppam Melpathi Village Town

Panruti Tk Cuddalore Dt 607 105

Respondent(s)

CMP No. 1938 of 2025

1. The Divisional Manager

The New India Assurance Co.Ltd.,No1

Bharath Road Cuddalore 607 001No1

Bharath Road Cuddalore 607 001



Appellant(s)

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Vs

1. P. Murugesan (since Deceased) 1. M
B Suresh
Proprietor, Suprah Driving School, 1/6,
7th Street, Jai Nagar, Arumbakkam,
Chennai 600 106.

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W/o. Late. P. Murugesan, No 50/3
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D/o.Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105

5.ANNAPOORANI

D/o.Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
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6.V.Kavitha

D/o.Late. P. Murugesan, No 50/3



CMP No. 10179 of 2024



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Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105

7.M. Venkatesa Prabu
S/o.Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105

8.M. Sundaramoorthy
S/o.Late. P. Murugesan, No 50/3
Thiruvallur Nagar Nellikuppam
Melpathi Village Town Panruti Tk
Cuddalore Dt 607 105

Respondent(s)

CMA SR No. 55011 of 2024

1. The Divisional Manager
The New India Assurance Company
Ltd DO Cuddalore

Appellant(s)

Vs

1. P Murugesan
The New India Assurance Company
Ltd DO Cuddalore

2.M B Suresh
Supraha Driving School Arumbakkam
Chennai

Respondent(s)

CMP No. 10179 of 2024



PRAYER

To condone the delay of 61 days in filing CMA. against the Judgment and decree dated 17.10.2023 mae in MCOP.NO.592 of 2021 on the file of the Motor Accident Claims Tribunal, Cuddalore, Special District Court No.1, Cuddalore.

CMP No. 1931 of 2025

PRAYER

To set aside the abatement caused due to the death of 1st Respondent in the above CMP No.10179 of 2024 in CMA.Sr.No.55011 of 2024 and thus render justice.

CMP No. 1925 of 2025

PRAYER

Pleased to Condone the delay of 69 days in filing the setaside petition for abatement caused due to the death of 1st Respondent in the above CMP No. 10179 of 2024 in CMA.Sr.55011 of 2024 and thus render justice.

CMP No. 1938 of 2025

PRAYER

To bring the Legal heirs of the proposed respondents 2 to 8 as party to the proceedings and rank them as respondents 3 to 9 in the above CMP No.10179 of 2024 in CMA.Sr.No.55011 of 2024 and thus render justice.

CMA SR No. 55011 of 2024

PRAYER

It is therefore prayed that this Hon and rsquo;ble Court may be pleased to set aside the award dated 17.10.2023 passed in MCOP No. 592 of 2021 on the file of the Motor Accident Claims Tribunal, Cuddalore, Special District Court No. 1, Cuddalore and be pleased to dismiss the said claim petition and thus render justice

CMP No. 10179 of 2024

For Appellant(s): Mr. T. Jayaraman

For Respondent(s): R1 - Died R2 - Dispensed With



ORDER

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CMP No. 1925 of 2025 has been filed to condone the delay of 69 days in filing the set aside petition for abatement caused due to the death of the first respondent in the above C.M.P.No.10179 of 2024 in CMA SR NO. 55011 OF 2024.

CMP No.1931 of 2025 has been filed to set aside the abatement caused due to the death of the first respondent in the above C.M.P.No.10179 of 2024 in CMA SR NO. 55011 OF 2024.

CMP No.1938 of 2025 has been filed to bring the legal heirs of the proposed respondents 2 to 8 as party to the proceedings and rank them as respondents 3 to 9 in the above C.M.P.No.10179 of 2024 in CMA SR NO. 55011 OF 2024.

2. The learned counsel for the proposed respondents submitted that the legal heirs of the deceased were not aware of either the name of the Counsel or



his address and the appellants were unable to contact the counsel and only recently the appellants came to know the particulars regarding the name and address of the counsel. It is further submitted that the delay is neither willful nor wanton but only due to the bona fide reason. The learned counsel thus sought to excuse the delay.

3.The learned counsel appearing for the appellants submits that they have no serious objection in allowing the petitions.

4. Heard the learned counsel for both sides.

5.Considering the nature of the case and the relief sought for, the delay is condoned in the interest of Justice and all the petitions are ordered as prayed for.

29-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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CMP No. 10179 of 2024





CMP No. 10179 of 2024

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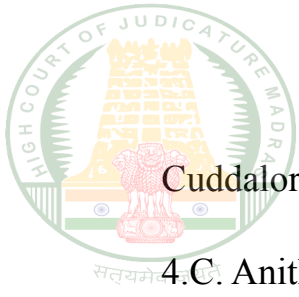
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CMP No. 1925 of 2025

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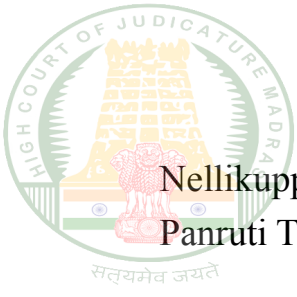
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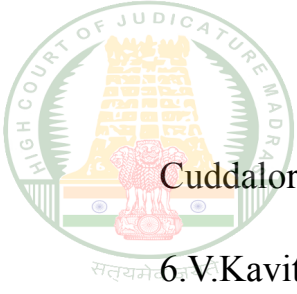
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2.M B Suresh
Supraha Driving School Arumbakkam
Chennai



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CMP No. 10179 of 2024



T.V.THAMILSELVI, J.

smn

**CMP No. 10179 of 2024
AND CMP NO. 1931 OF
2025,CMP NO. 1925 OF
2025,CMP NO. 1938 OF
2025,CMA SR NO.
55011 OF 2024**

29-08-2025