



C.M.A.No.2785 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.M.A.No.2785 of 2021

- 1.Dhanabakkiyam
- 2.Minor.Narmadha
- 3.Minor.Libinesh

(Minor 2nd and 3rd appellants are
rep. by 1st appellant Next friend
guardian Mother)

4.Ganapathi

... Appellants

Vs.

1.Devi

2.The Oriental Insurance Company Limited,
Divisional Office, Divya Towers,
Fort Main Road, Shevapet,
Salem – 636 002.

... Respondents

Prayer:

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to enhance the compensation amount and fix the liability on the second respondent made in judgment and decree dated 12.02.2020 made in M.C.O.P.No.1789 of 2019 on the file of the Motor Accidents Claims Tribunal, Special District Judge, MCOP Tribunal, Salem by allowing the civil miscellaneous appeal.



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For Appellants : Mr.S.P.Yuaraj
For Respondents : Ms.R.Pandimeena
for M/s.M.Subash for R1
Mr.M.Krishnamoorthy for R2

J U D G M E N T

The learned counsel appearing for the appellants seek the permission of this Court to withdraw this appeal and has also made an endorsement to that effect in the petition.

2.In view of the endorsement made by the learned counsel appearing for the appellants, this civil miscellaneous appeal is dismissed as withdrawn with liberty to the appellants to work out the remedy under the Workmen Compensation Act, in the manner known to law. The period during which this appeal was pending before this Court and the period during which the claim petition was pending before the Tribunal is excluded for the purpose of limitation. No costs.

08.01.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To
1.The Motor Accidents Claims Tribunal,
Special District Judge, MCOP Tribunal, Salem.

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M.DHANDAPANI,J.
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