

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

OP (MAC) .No. 1897 of 2011 (O)

IN OPMV 2147/2004 of M.A.C.T., PERUMBAVOOR

PETITIONER(S) :

1. JEMCY VARGHESE,
W/O. LATE K.K.VARGHESE,
KOTTALLIL HOUSE, RAYAMANGALAM VILLAGE,
KUNNATHUNAD TALUK, ERNAKULAM DISTRICT.
2. ANJUMOL VARGHESE,
D/O. LATE K.K.VARGHESE,
KOTTALLIL HOUSE, RAYAMANGALAM VILLAGE,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.
3. CHINNUMOL VARGHESE,
MINOR, AGED 12 YEARS,
REPRESENTED BY HER MOTHER 1ST PETITIONER JEMCY VARGHESE,
KOTTALLIL HOUSE, RAYAMANGALAM VILLAGE,
KUNNATHUNAD TALUK, ERNAKULAM DISTRICT.

BY ADVS.SRI.BASANT BALAJI
SRI.R.GOPAN.

RESPONDENT(S) :

THE UNITED INDIA INSURANCE COMPANY,
BRANCH OFFICE, PERUMBAVOOR.P.O., ERNAKULAM.
PIN-683542.

BY ADV. SRI.S.ARUN RAJ

THIS OP (MAC) HAVING BEEN FINALLY HEARD ON 05-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ivs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1- TRUE COPY OF THE AWARD 02/09/2008 IN OP (MV) NO.2147/2004 PASSED BY THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, PERUMBAVOOR.
- EXT. P2- TRUE COPY OF THE FIXED DEPOSIT RECEIPT DATED 23/03/2009 ISSUED BY THE NORTH MALABAR GRAMIN BANK.
- EXT. P3- TRUE COPY OF THE IA NO.2382/2004 IN OP(MV)NO.2147/2004 FILED BY LATE VARGHESE BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, PERUMBAVOOR.
- EXT. P4- TRUE COPY OF THE ORDER DATED 29/07/2009 OF THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, PERUMBAVOOR.
- EXT. P5- TRUE COPY OF THE DEATH CERTIFICATE DATED 01/03/2010 ISSUED BY THE RAYAMANGALAM GRAMA PANCHAYAT.
- EXT. P6- TRUE COPY OF THE LEGAL HEIRSHIP CERTIFICATE ISSUED BY THE TAHSILDAR, KUNNATHUNAD TALUK DATED 12/10/2010.
- EXT. P7- TRUE COPY OF THE CERTIFICATE ISSUED BY THE SECRETARY, KURUPPAMPADY SERVICE CO-OP. BANK LTD. NO.E257 DATED 05/04/2011.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

K.VINOD CHANDRAN, J

O.P(MAC). 1897 of 2011

Dated 5th March, 2015

JUDGMENT

The above Original Petition was filed by the wife and children of a claimant for release of the amounts kept in Fixed Deposit pursuant to the Award passed in OP(MV).2147 of 2004. In the Award dated 02.09.2008 passed at Ext.P1, the Fixed Deposit was directed to be made for a period of three years. Hence, nothing survives in the Original Petition and the same is dismissed. Parties are left to suffer their respective costs.

Sd/-

K.VINOD CHANDRAN
Judge

MrCs

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