



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Eighteenth day of December Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice T.MATHIVANAN
CMA(MD) No.1352 of 2015

THE ORIENTAL INSURANCE COMPANY LIMITED.,
PALACADU.

.. APPELLANT/3RD RESPONDENT

VS.

1.THIRU.MUTHUKARUPPAN
2.SURESHKUMAR
3.TMT.KALAIVANI

..1ST RESPONDENT/PETITIONER
..2ND RESPONDENT/1ST RESPONDENT
.. 3RD RESPONDENT/2ND RESPONDENT

Appeal against the order of the Motor Accident Claims Tribunal Sub Court, Theni dated 27.03.2013 and made in M.C.O.P.No.16 OF 2009.

ORDER : This Civil Miscellaneous Appeal coming on for hearing this day upon perusing the grounds of Appeal, the order of the Lower Court and the material papers relating to this case and upon hearing the arguments of Mrs.SHIVASANKARI, Advocate for the petitioner and the respondent not appearing in person or by an Advocate and this court while dismissing this Appeal doth order and decree as follows:

1) That the judgment and decree passed by Tribunal be and hereby is confirmed and the Civil Miscellaneous Appeal; is dismissed.

2) That the Insurance Company shall deposit the award amount as directed by the Tribunal within a period of three weeks along with the proportionate interest and costs, if not deposited earlier.

3) That in the later state, the Insurance Company is entitled to recover this amount from the First respondent / owner of the vehicle by way of execution proceeding without actually filing a suit.

4) That there be no cost in this Appeal.

Sd/-

Assistant Registrar (CO Dept.)

/True copy/

Sub Assistant Registrar

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL CUM SUBORDINATE COURT, THENI.

+1. C.C. to M/S.C.JAWAHAR RAVINDRAN Advocate SR.No.15512

DECREE

Dated: 18.12.2015

CMA(MD) No.1352 of 2015

Dismissing this Appeal preferred against the judgment and decree made in MCOP No.16/2009 dated 27.03.2013 on the file of the MACT Subordinate Court, Theni, etc., as stated within.