



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Friday, the Seventh day of August Two Thousand and Fifteen

THE HONOURABLE MR.JUSTICE P.DEVADASS

C.M.A.No.864 of 2015

The Oriental Insurance Company Limited,
Rep by its Branch Manager,
S.N.High Road, Tirunelveli.

.. Appellant/2nd Respondent
Vs.

1.Rajkumar

..1st Respondent/Petitioner

2.Sundar @ Ramachandran

(2nd Respondent remained ex-parte
before the lower Court)

.. 2nd Respondent/1st Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act against the Order of the Motor Accident Claims Tribunal cum Subordinate Judge, Valliyoor dated 22/8/2012 and made in MCOP.No.212/2010.

DECREE:- This Appeal coming on for admission on this day, upon perusing the grounds of Appeal, the order of the Lower Court, and upon hearing the arguments of Mr.K.Bhaskaran, Advocate for the Appellant and this Court while observing that the Insurance Company will have all the remedies available under Order 21 CPC, it can seek remedy as against the offending vehicle and on request of the company, the concerned Regional Transport Officer shall render necessary assistance and disposing the Civil Miscellaneous Appeal with modification of award, doth order and decree as follows:-

1) That on deposit of the award amount, the Insurance Company entitled to levy execution as against the vehicle owner without giving a separate suit; and

2) That there be no costs in the Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

Motor Accident Claims Tribunal, cum Sub Judge, Valliyoor.

+One cc to Mr.K.Bhaskaran, Advocate, SR.No.44638

Copy to : _ The Section Officer, V.R.Section,

Madurai Bench of Madras High Court, Madurai

RL/4 c- 8/9/2015

Order Dated : 07.08.2015

DECREE

C.M.A.No.864 of 2015

NATURE OF DECREE: Dispose of the Civil Miscellaneous Appeal with modification against the Judgment and Decree dated 22/8/2012 made in MCOP.No.212/10 on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Valliyoor.