



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

Monday, the Fourteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CMA(MD) No.918 of 2015

ICICI Lombard General Insurance Co.Ltd.,
Jenith House, Kesava Rao Gadi Marg,
Mahalakshmi,
Mumbai 400 034.

... Appellant / 2nd Respondent

Vs

1. M.PALANIAMMAL
2. S.SELVAM,

... 1st Respondent / Petitioner
... 2nd Respondednt / 1st Respondent

Appeal against the Fair and Decreetal order of the Motor Accidents Claims Tribuna, Principal Subordinate Court dated 02.06.2010 and made in M.C.O.P.No.354 of2007.

DECREETAL ORDER: This Appeal coming on for hearing as on this day and upon perusing the grounds of Civil Miscellaneous Appeal, the order of the Lower Court, and the Material records of this case and upon hearing the arguments of Mr.R.Srinivasa Raghavan, Advocate for the Appellant and of Mr.V.Balaji, Advocate for the 1st respondentand of Mr.Niranjan S.Kumar, Advocate for the 2nd Respondent, this Court having observed that the Insurance Company has to pay the amount to the claimant and it is entitled to recover the same from the vehicle owner and for that purpose, there is no need to file a separate suit and it can also have all remedy as provided in order 21 Civil Procedure Code and if assistance is needed the concerned Regional Transport Officer shall provide necessary assistance to the decree holder, and this Court while disposing this appeal, doth order and decree as follows:

1) That the Award dated 02/06/2010 made in M.C.O.P.No.354 of 2007 on the file of the Motor Accidents Claims Tribunal (Principal Subordinate Court), Karur be and hereby is confirmed;

2) That the Appellant herein (Insurance Company / 2nd Respondent shall deposit the entire award amount and the 1st respondent herein / claimant shall be paid her respective share amount;

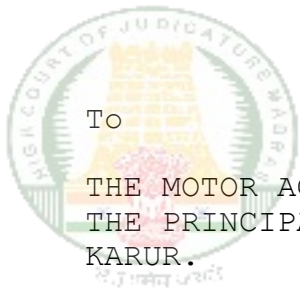
3) In such deposit, the Appellant herein is entitled to proceed in execution as against the vehicle owner; and

4) That there be no costs in this Appeal;

Sd/-

Assistant Registrar (Per.Admn.)

/ TRUE COPY /



To

THE MOTOR ACCIDENT CLAIMS TRIBUNAL
THE PRINCIPAL SUBORDINATE JUDGE
KARUR.

Copy to:

THE SECTION OFFICER,
V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.S.Srinivasa Raghavan, Advocate, SR No.54161

Date :14/09/2015

DECREE

CMA(MD) No.918 of 2015

Nature of Decree: Disposing this
Appeal preferred against the award dated
02/09/2010 made in M.C.O.P.No.354 OF
2007, on the file of the Motor Accidents
Claim Tribunal, Principal Subordinate
Court, Karur, dated etc., as stated
within.

SH/SKS-RR:02.12.2015: 2P/4C