



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

**Friday, the Ninth day of July Two Thousand Twenty One
PRESENT**

**The Hon`ble Mrs.Justice R.THARANI
CMA(MD) .No.740 of 2015**

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A.L.Anandharajan

... Appellant/1st Respondent

Vs

1.G.Maragatham

2.P.Ganesan

...Respondent No.1 & 2/Petitioners

3The Divisional Manager,
M/s.Reliance General,
Insurance Company limited,
First Floor, Sri Meenakshi Plaza,
No.55, 80 Feet Road,
Anna Nagar,
Madurai-20.

...RespondentNo.3/Respondent No.2

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Award dated 20.12.2013 made in M.C.O.P.No.185 of 2009 on the file of the Motor Accidents Claims Tribunal/District and Sessions Court, Madurai.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Friday, the Twenty fifth day of June Two Thousand and Twenty One, upon perusing the Grounds of Appeal, the Award of the Motor Accidents Claims Tribunal/District and Sessions Court, Madurai, and the material records of this case and upon hearing the arguments of M/s.T.Lajapathi Roy, Advocate for the Appellant and of M/s.R.Babu Jaganath, Advocate for the first and second Respondents and of M/s.K.Gokul Advocate for the third Respondent this Court, While dismissing the Appeal and Confirming the award passed by the Tribunal below, having stood over the matter for consideration till this date, doth order and decree as follows:-

(1).That the Award passed by the Motor Accidents Claims Tribunal/District and Sessions Court, Madurai. made in M.C.O.P.No.185 of 2009 dated 20/12/2013 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

(2).That the Respondents 1and 2 be and hereby are entitled to a sum of Rs.7,28,000/- (Rupees Seven lakhs and twenty eight thousand only) as compensation with interest at the rate of 7.5% from the date of the claim petition till the date of realization.



(3).That the Third Respondent be and hereby is directed to deposit Rs.7,28,000/- (Rupees Seven lakhs and twenty eight thousand only) with 7.5% interest from the date of the claim petition till the date of realization and the amount if not deposited earlier, has to be deposited within a period of eight weeks from the date of receipt of copy of this order.

(4).That on such deposit being made, the Respondents1 and 2/Claimants be and hereby are permitted to withdraw their respective shares with proportionate interest after deducting any amount received by them earlier without filing any formal petition before the Tribunal.

(5).The Third Respondent be and hereby is directed to recover the amount from the Appellant.

(6).The Tribunal be and hereby is directed to refund the excess amount, if any deposited to the Third Respondent.

(7).The Respondents1 and 2/Claimants be and hereby are not entitled for interest for the default period, if there is any.

(8). That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To.

The District and Sessions Judge,
Motor Accidents Claims Tribunal,
Madurai.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC.M/s.T,Lajapathi Roy (SR.22015)

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CMA(MD).No.740 of 2015

ORDER DATED : 09/07/2021

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DECREE

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CMA (MD) .No. 740 of 2015

Nature of Decree:-

*Dismissing the CivilMiscellaneous
Appeal preferred against the
Judgment and Decree of the Motor
Accident Claims Tribunal,
District and Sessions Court,
Madurai dated 20.12.2013 made in
MCOP No.185 of 2009 and giving
directions etc. as stated
therein.*

RK (30.07.2021) 3P 5C