



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty First day of April Two Thousand and Fifteen

PRESENT

WEB COPY

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

C.M.A(MD) No.31 of 2013

Cholamandalam M.S.General Insurance
Co.Ltd., "Dare House"
2nd Floor, N.S.C.Bose Road,
Chennai 600 001.

.. Appellant/Respondent No.2

vs.

1.Anthonisamy
2.J.Murugesan

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

Civil Miscellaneous Appeal against the Judgment and decree of the Motor Accidents Claims Tribunal (Chief Judicial Magistrate), Tirunelveli dated 28.08.2012 made in M.C.O.P.No.91 of 2011.

ORDER:- This Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the award of the Tribunal below, the material papers relating to this Case and the Order of this Court dated 31/01/2015 and made in MCOP.No.1/2013 in CMA(MD)No.31 of 2013, and upon hearing the arguments of Mr.S.Srinivasa Raghavan, Advocate for the Appellant herein and of Mr.P.Samuel Gunasingh, Advocate for the first respondent herein and of Mr.J.Ashok of M/s.Jeyapaul Associates, Advocate for the 2nd Respondent herein this Court while dismissing this Appeal doth Order and Decree as follows:-

1) That the Award of the Motor Accidents Claims Tribunal (Chief Judicial Magistrate), Tirunelveli dated 28/08/2012 and made in MCOP.No.91 of 2011 be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed

2) That the Appellant herein/Insurance Company herein be and hereby is directed to pay the award amount to the Claimant/First respondent herein at the first instance and thereafter, recover the same from the owner of the Vehicle' and

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

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar



To

The Motor Accident Claims Tribunal,
(Chief Judicial Magistrate), Tirunelveli

+One cc to M/.Jeyapaul Associates, Advocate, SR.No.20677

+One cc to Mr.S.Srinivasa Raghavan, Advocate, SR.No.21614

Copy to:-

The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai

am

RL/5 c- 6/7/2015

ORDER DATED : 21/4/2015

DECREE

C.M.A(MD)No.31 of 2013

NATURE OF DECREE: Dismissing this Appeal preferred against the Judgment and Decree dated 28/08/2012 made in MCOP.No.91/2011 on the file of Motor Accidents Claims Tribunal, (Chief Judicial Magistrate), Tirunelveli etc as stated within