



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

Wednesday, the Thirtieth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CMA(MD) No.1414 of 2007

Bajaj Allianz General Insurance Company,
represented by its Manager,
No.11, People's park 3rd floor,
Coimbatore. ... Appellant/Respondent No.2

Vs.

1.Appakannu ..Respondent No.1/Petitioner
2.R.Selvaraj ..Respondent No.2/Respondent No.1

PRAYER:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, praying to set aside the order and decree dated 23.04.2007 made in M.C.O.P.No.497 of 2005, on the file of the Motor Accident Claims Tribunal (Sub Court), Pattukottai.

DECREE : This Civil Miscellaneous Appeal coming on for hearing on this day. Upon perusing the grounds of Appeal, the Judgment and Decree of the Lower Court and the material papers in this appeal and upon hearing the arguments of Mr.S.Srinivasa Raghavan, Advocate for the Appellant and the 1st respondent and the 2nd respondent have not appeared either in person or by an advocate and this court while allowing this appeal, doth order and decree as follows :-

1) that the Judgment and decree dated 23.04.2007 passed by the Motor Accident Claims Tribunal (Sub Court) Pattukottai in M.C.O.P.No.497/2005, be and hereby are set aside in respect of the Appellant alone and ;

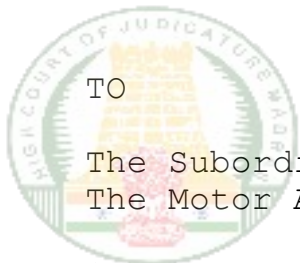
2) that the appellant/Insurance Company be and hereby is permitted to withdraw the award amount, if any, deposited by them, by filing necessary application before the Tribunal.

3. that the 1st respondent herein/claimant be and hereby is at liberty to recover the entire award amount from the owner of the vehicle in the manner known to law.

sd/-

Assistant Registrar (CS-II)

/ TRUE COPY /



TO

The Subordinate Judge,
The Motor Accident Claims Tribunal, Pattukottai.

Copy To : The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai.

WEB COPY

+1CC to Mr.S.Srinivasa Raghavan, Advocate Sr.No.74976

GJM/PM/PN/17.3.17-2p-4C

DECREE

IN

CMA(MD) No.1414 of 2007

Date :30/11/2016

Nature of the DECREE : This Appeal is allowed by setting aside the award dated 23.04.2007 passed by the Motor Accident Claims Tribunal/Sub Court Pattukottai, in M.C.O.P.No. 497/2005, etc., as stated within.