



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

Friday, the Fifth day of August Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CMA(MD) No.1068 of 2014

M/s. Oriental Insurance Company Ltd.,
through its Divisional Manager,
having his Divisional Office,
39/40, Workshop Road,
Saradha Shopping Complex,
Simmakkal,
Madurai-1

: Appellant/3rd respondent

Vs.

1.A.Suriyanarayanan
2.D.Lakshmanan
3.V.Kandan

: 1st respondent/Petitioner

: R2 and R3/R1 and R2

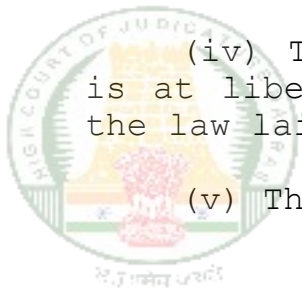
Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, against the judgment and decree of the Motor Accident Claims Tribunal cum II Additional Subordinate Judge, Madurai, dated 02.06.2014 and made in MCOP No.238/12.

Decree: This Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the order of the lower court and the material papers of the Appeal and upon hearing the arguments of Mr.C.Jawahar Ravindran, Advocate for Appellant, Mr.P.Chandran, Advocate for the first Respondents and the Respondents 2 and 3 not appeared either in person or by an Advocate, this Court doth order and decree as follows:-

(i) That the judgment and decree of the Motor Accident Claims Tribunal cum II Additional Subordinate Judge, Madurai, dated 02.06.2014 made in MCOP No.238/2012 be and hereby is confirmed and the Civil Miscellaneous Appeal dismissed;

(ii) That the Appellant herein/insurance company be and hereby is directed to deposit the entire amount together with interest within a period of eight weeks from the date of receipt of a copy of this order if not already deposited;

(iii) That on such deposit the 1st Respondent herein/Claimant be and hereby is permitted to withdraw the entire amount without filing any formal portion before the Tribunal;



(iv) That the Appellant herein/Insurance Company be and hereby is at liberty to recover the award amount from the insured as per the law laid down and

(v) That, there be no costs in this civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The II Additional Subordinate Judge,
The Motor Accidents Claims Tribunal,
Madurai.

Copy to:
The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai

+1 cc to MR.C.JAWAHAR RAVINDRAN, Advocate SR.No.42473

ORDER DATED :05/08/2016

DECREE

CMA(MD) No.1068 of 2014

Nature of the Decree:
Dismissing the Appeal
preferred against the
judgment and decree of
Motor Accident Claims
Tribunal cum II Additional
Subordinate Judge, Madurai
dated 02.06.2014 made in
MCOP.No.238/12 and etc., as
stated within.

SMA/SS-2/22.12.2016:2P/4C