



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twentieth day of December Two Thousand and Sixteen

PRESENT

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

C.M.A (MD) No.1444 of 2016

Iffco Tokyo General Insurance Company Limited,
represented by its Branch Manager,
No.333/1A-V,V.Complex,
North Bye-pass Road,
Vannarpet,
Tirunelveli.

..Appellant/Second Respondent

-Vs-

1.Perumal
2.Arumugam
3.Komalanathan
4.P.Balakrishnan

..Respondents/Petitioners

5.ICICI Lombard General Insurance Company Limited,
No.414, Veer Sowkar Mark,
Opposite to Sithi Vinayagar Koil,
Prabadevi, Mumbai - 400 025.

..Respondents/Respondents
1,3 and 4

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the order and decretal order dated 10.6.2016, made in M.C.O.P.No.151 of 2013, on the file of the Motor Accident Claims Tribunal(I Additional District Judge), Tirunelveli.

DECREE: This Civil Miscellaneous Appeal is coming on for hearing on this day and upon perusing the grounds of appeal, the order of the Lower Court and the material papers in this appeal and upon hearing the arguments of Ms.K.S.Shivasankari for M/s.S.Srinivasa Raghavan, Advocate for the appellant herein, this court while dismissing this appeal against the award of the tribunal below, doth order and decree as follows:-

i)that the award dated 10.06.2016 made in MCOP.No.151/2013 on the file of the Motor Accident Claims Tribunal(I Additional District Judge), Tirunelveli, be and hereby is confirmed and civil miscellaneous appeal is dismissed;

ii)that the appellant herein/Insurance Company be and hereby is directed to deposit the award amount as ordered by the Motor Accident Claims Tribunal(I Additional District Judge), Tirunelveli, less the amount already deposited, if any, with proportionate interest and costs through RTGS and transfer the same to the claimants account of the claimants/first and second respondents herein in this appeal, within a period of four weeks from the date of receipt of a copy of this judgement; and



iii)that there be and hereby no costs in this civil miscellaneous appeal.

Sd/-

Assistant Registrar(CO)

/True Copy/

WEB COPY

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Motor Accident Claims Tribunal,
I Additional District Judge,
Tirunelveli.

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

+1cc to M/s.S.Srinivasa Ragahvan, Advocate in SR.23300

ORDER DATED : 20.12.2016

DECREE

CMA(MD)No.1444 OF 2016

and CMP(MD)No.11982 of 2016

Nature of Decree: Dismissing the appeal preferred against the judgment and decree of Motor Accident Claims Tribunal, (I Additional District Judge), Tirunelveli dated 10.06.2016 made in MCOP.No.151/2013 etc., as stated within.

PBK/SKN-MM 20/01/2017 ::3P-4C: