



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

Tuesday, the Twenty Second day of November Two Thousand Sixteen

PRESENT

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

CMA(MD) No.173 of 2015

The Oriental Insurance Company Ltd.,
through its Branch Manager,
Door No.20, 1st Floor,
K.A.K. Complex,
Gandhi Road,
Kallakkurichi,
Villupuram District.

...Appellant/2nd Respondent

vs.

1)K.Sathish Kumar
2)M.Prabhakaran

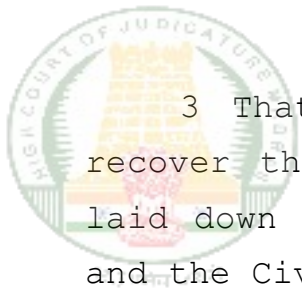
... 1 Respondent /Petitioner 1
... 2nd Respondent/R1

Civil Miscellaneous Appeal against the award of the Motor Accident Claims Tribunal Subordinate Judge, Vedasandur, dated 29/10/2013 made in MCOP.No.133/2012.

DECREE : This Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the order of the Lower Court, and material papers relating to the case and upon hearing the arguments of M/S.C.RAMACHANDRAN, Advocate for the appellant and of Mr.H.LAKSHMI SHANKAR, Advocate for the respondent No.1, this Court doth the decree and order as follows:-

1 That the Award of Compensation passed by the Motor Accidents claims Tribunal, Sub Court, Vedasandur dated 29/10/2013 made in MCOP.No.133/2012 be and hereby is confirmed in the Civil Miscellaneous Appeal herein.

2 That the appellatant Insurance company has already deposited the entire award amount with proportionate accrued interest and costs to the credit of the claim petition before the Tribunal, the respondent/Claimant be and hereby is permitted to withdraw the same, less the amount already withdrawn, through RTGS, by filing the necessary application before the Tribunal.



3 That the appellant Insurance Company is giving liberty to recover the amount from the owner of the vehicle as per decision laid down by the Hon'ble Supreme Court in Nanjappan's Case therein and the Civil Miscellaneous Appeal is disposal of accordingly.

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4 That there be no costs in the appeal.

sd/-
Assistant Registrar(RTI)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

The Subordinate Judge,
Motor Accident Claims Tribunal, Veda sandur.

COPY TO:

THE RECORD, KEEPER, V.R. SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1cc to Mr.h.Lakshmi Shankar, Advocate Sr.No. 71476

+1cc to Mr.C.Ramachandran, Advocate Sr.No. 72398

JAM/12.12.16/SK-SKN/ 2p-5c

ORDER DATED:22/11/2016

DECREE

CMA(MD) No.173 of 2015

Nature of Decree

Dismissing of the appeal
against the award of
compensation passed by the
Motor Accident Claims
Tribunal , Subordinate
Judge, Veda sandur, dated
29/10/2013 made in
MCOP.No.133/2012 etc.,