



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Eighth day of November Two Thousand and Sixteen

PRESENT

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A(MD)No.389 of 2015

The Oriental Insurance Company Limited,
Through its Divisional Manager,
6-A, West Veli Street,
Madurai - 625 001.

..Appellant/2nd Respondent

-Vs-

1.S.Selvi
2.Minor Mukesh Kumar
3.Minor Premkumar
4.Ponnusamy

..Respondents 1 to 4/Petitioners 1 to 4

5.D.Naveen ..5th Respondent/1st Respondent
(RR 2 & 3 are rep. By their mother
and next friend ie., 1st respondent)

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award of the Motor Accident Claims Tribunal, IV-Additional District Judge, Madurai dated 31.10.2014 made in M.C.O.P.No.33 of 2013.

DECREE: Civil Miscellaneous Appeal coming on for hearing on this day upon perusing the grounds of appeal, the order of the lower court and materials papers relating to the case and upon hearing the arguments of Mr.K.Bhaskaran, Advocate for the appellant and Mr.J.Shankara Pandian for Mr.J.Ramamoorthy, Advocate for the respondents 1 to 3, this court while dismissing the appeal doth decree and order as follows:-

i)that the decree and judgment passed by the Motor Accident Claims Tribunal, IV-Additional District Judge, Madurai dated 31.10.2014 made in MCOP.No.33 of 2013 be and hereby are confirmed and the civil miscellaneous appeal is dismissed.

ii)that as it is reported that the entire award amount has been deposited the respondents 1 and 4/claimants 1 and 4 are permitted to withdraw their respective shares, as per the ratio of apportionment made by the Tribunal, with proportionate accrued interest and costs by filing necessary application before the Tribunal.

iii)that the Motor Accident Claims Tribunal, IV-Additional District Judge, Madurai be and hereby directed to deposit the share of the minors-second and third respondents in any one of the Nationalised Banks, in a Fixed Deposit scheme, till they attain



iv)that the first respondent- mother and guardian of the minor claimants, is permitted to withdraw the accrued interest of the minor once in three months directly from the bank, only for the welfare of minors.

v)that there be no costs in this appeal.

Sd/-

Assistant Registrar(Cs-I)

/True Copy/

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

To
The Motor Accident Claims Tribunal,
IV-Additional District Judge,
Madurai.

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

+1cc to M/s.K.Bhaskaran, Advocate in SR.66929

ORDER DATED : 08.11.2016

DECREE

CMA(MD)No.389 of 2015

Nature of Decree: Dismissing the appeal against the award passed by the Motor Accident Claims Tribunal, IV-Additional District Judge, Madurai dated.31.10.2014 made in MCOP.No.33 of 2013.

PBK/SK-SKN 28/11/2016 ::3P-4C: