



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

Thursday, the Third day of November Two Thousand Sixteen

PRESENT

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

C.M.A (MD) No.543 of 2015

BRANCH MANAGER
THE ORIENTAL INSURANCE COMPANY LIMITED

D.D.J. CENTRE TO 1ST FLOOR,
OPPOSITE TO VADASERI BUS STOP,
NAGERCOIL.

.. Appellant /2nd Respondent

-Vs-

1. AMALRAJ .. 1st Respondent/ Petitioner
2. JEYARAJ .. 2nd Respondent/1st Respondent
3. K.MURUGAN .. 3rd Respondent/3rd Respondent

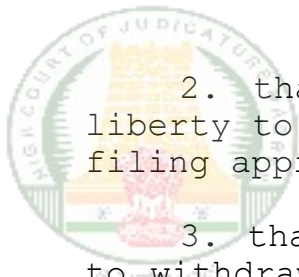
4. BRANCH MANAGER
NATIONAL INSURANCE COMPANY LIMITED,
37-C, SWAMI NELLAIYAPPAR HIGH ROAD,

TIRUNELVELI. .. 4th Respondent/4th Respondent

Civil Miscellaneous Appeal filed under section 173 of the Motor Vehicles Act, 1988 against the order and decreetal order dated 07.10.2014 in MCOP.No.201 of 2012 on the file of the Motor Accident Claims Tribunal -CuM - Sub Judge, Valliyoor.

DECREE : This Civil Miscellaneous Appeal is coming on for orders on this day and upon perusing the grounds of Appeal, the order and decreetal order of the Lower Court and the material papers in the Appeal and upon hearing the arguments of Mr.K.Bhaskaran, Advocate for the Appellant and of Mr.A.Ajith Geethan, Advocate for 1st Respondent and of Mr.S.Srinivasa Rahavan, Advocate for 4th Respondent and in pursuance of the submission made by the counsel for the Appellant/Insurance Company that the award amount of Rs.2,27,200/- has already been deposited by the appellant and this Court while dismissing the Appeal doth order and decree as follows: -

1. that the award dated 07.10.2014 in MCOP.No.201 of 2012 passed by the Motor Accident Claims Tribunal -Cum-Sub Judge, Valliyoor be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed;



2. that the appellant/Insurance Company be and hereby is at liberty to recover the award amount from the owner of the vehicle by filing appropriate proceedings before the Executing Court.

3. that the 1st respondent claimant be and hereby is permitted to withdraw the entire award amount with accrued interest by filing necessary application before the trial court.

4. that there be no costs in this Civil Miscellaneous Appeal.
sd/-

Assistant Registrar (RTI)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

To

1.The Motor Accidents Claims Tribunal Cum Sub Judge,
Valliyoor.

Copy To : The Section Officer, Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.Srinivas Raghavan, Advocate Sr.No.65408

+1CC to Mr.A.Ajith Geethan, Advocate Sr.No.65392

+1CC to Mr.K.Bhaskaran, Advocate Sr.No.65524

GJM/MR/VB/1.2.17-2p-6C

DECREE

IN

CMA(MD) No.543 of 2015

Date :03/11/2016

Dismissing the appeal preferred against the Judgment and decree passed M.C.O.P.No.201 of 2012 dated 07.10.2014 on the file of the Motor Accident Claims Tribunal Cum Sub Judge, Valliyoor, and etc., as stated within.