



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.664 of 2015

The Oriental Insurance Company Ltd.,
Divisional Office,
Shoba T.S.M. Complex,
R.S. Road, (Town Railway Station Opposite)
Palakkad, Kerala
rep. By its Divisional Manager

: Appellant/2nd respondent

Vs.

1.Shanmugavel
2.S.Mageshkumar

: 1st respondent/Petitioner
: 2nd respondent/1st respondent

Civil Miscellaneous Appeal filed against the Order of the Motor Accident Claims Tribunal cum Special Judge, Tirunelveli dated 23/09/2013 and made in MCOP No.347 of 2013

DECREE : This petition coming on for hearing on this day upon perusing the grounds of Appeal, the order of the Lower Court, and upon hearing the arguments of MR.C.JAWAHAR RAVINDRAN, Advocate for the appellant and of the Respondents having not appeared either in person or by Advocate, and this Court doth order and decree as follows;-

(1) That the award passed by the Tribunal dated 27.09.2013 made in MCOP No.347 of 2013, on the file of the Motor Accident Claims Tribunal cum Special Sub Court, Tirunelveli, be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed.

(2) That the appellant/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;

(3) That on such deposit, the claimant be and hereby is permitted to withdraw the entire amount without filing any formal petition before the Tribunal;

(4) That the Appellant/Insurance Company be and hereby is at liberty to recover the award amount from the owner of the Vehicle as per the direction of the Tribunal.



WEB COPY

/True copy/

Sd/-
Assistant Registrar (co)

Sub Assistant Registrar

To

The Special Subordinate Judge,
The Motor Accident Claims Tribunal,
Tirunelveli.

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

+1cc to MR. C.JAWAHAR RAVINDRAN, ADVOCATE, SR NO.42474

ORDER DATE :05/08/2016
DECREE
CMA(MD) No.664 of 2015

Nature of DECREE:
Dismissing the Civil
Miscellaneous Appeal
preferred against the
Judgment and Decree of the
Motor Accident Claims
Tribunal/Special Judge,
Tirunelveli, dated
27.09.2013 and made in MCOP
No.347/2013 as stated
within etc.,

SMA/SKS-RR/06.01.2017/2P-4C