



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

Monday, the Twenty Eighth day of November Two Thousand Sixteen

PRESENT

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

CMA(MD) No.716 of 2015

THE UNITED INDIA INSURANCE COMPANY LTD.,
WEST MASI STREET, MADURAI THROUGH ITS
DIVISIONAL MANAGER.

... APPELLANT/3rd RESPONDENT

Vs

1 NAGARATHINAM
2 RAJATHI
3 SARITHA
4 SARANYA
5 D.PANCHALI,
6 D.GAJENDRAN,

...RESPONDENTS 1TO4/PETITIONERS
...5TH Respondent/1st Respondent
...6TH Respondent/2nd Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act 1988, against the Judgment and Decree passed by the Motor Accident Claims Tribunal, (II Additional Sub Court), Madurai made in M.C.O.P.No.258 of 2010 dated 11.11.2013.

ORDER: This Civil Miscellaneous Appeal is coming on for orders 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 MR.G.PRABHU RAJADURAI, Advocate for the Appellant and MR.V.THIRUMAL, Advocate for the Respondents 1 to 4 and the Respondents 5 & 6 not appeared in person or by an advocate and this Court while allowing the appeal doth order and decree as follows:

1. that in respect of the appellant/Insurance Company is concerned, the award dated 11.11.2013 made in MCOP.No.258 of 2010 passed by the Motor Accident Claims Tribunal (II Additional Sub Court), Madurai be and is hereby set aside.

2. that the victims/claimants be and are hereby entitled to recover the award of compensation from the owner of vehicle in the manner known to law.

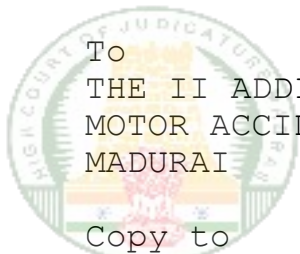
3. that there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To
THE II ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI

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

+1CC to Mr.G.Prabhu Rajadurai, Advocate Sr.No.73696

GJM/CM/MSA/13.2.17-2p-4C

ORDER Dated :28/11/2016

DECREE

CMA(MD) No.716 of 2015

Allowing the Appeal preferred against the Judgment and Decree passed by the Motor Accident Claims Tribunal (II Additional Sub Court), Madurai in M.C.O.P.No. 258/2010 dated 11.11.2013 and giving directions etc. as stated within.