



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

Thursday, the First day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CMA(MD) No.908 of 2016

The Manager,
The Oriental Insurance Company Limited,
Kovilpatti. : Appellant/2nd respondent

Vs.

1.Aravind Devasahayam : 1st respondent/Petitioner

2.Y.M.Paramasivam : 2nd respondent/1st respondent
[2nd respondent remained exparte
before the lower court]

Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, preferred against the award made in M.C.O.P.No.44 of 2008, dated 05.12.2014 on the file of the Motor Accidents Claims Tribunal -Cum- Sub Judge, Kovilpatti.

DECREE : This Appeal coming for hearing on this day, upon perusing the grounds of the Tribunal below and the Material papers of the case and upon hearing the arguments of Mr.K.Bhaskaran, Advocate for the Appellant and the 2nd respondent has remained ex-parte before the lower Court, this Court doth order and decree as follows :

i) that the award of the Motor Accidents Claims Tribunal -cum- Sub Judge, Kovilpatti dated 05.12.2014 made in M.C.O.P.No.44 of 2008 be and is hereby confirmed and the Civil Miscellaneous Appeal is dismissed;

ii) that, the Appellant herein/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 any already deposited;

iii) that, on such deposit, the 1st Respondent herein/claimant be and is hereby permitted to withdraw the entire amount without filing any formal petition before the Tribunal ;

iv) that, the Appellant herein 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, by following the mode in



v) that, there be no costs in this Civil Miscellaneous Appeal.

sd/-

Assistant Registrar (Writs)

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

To
The Subordinate Judge, Kovilpatti.

Copy To : The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai

+1CC to Mr.K.Bhaskaran, Advocate Sr.No.49032

CSL/SS2/22.12.16-2p-4c

DECREE

IN

CMA(MD) No.908 of 2016

Date :01/09/2016

Nature of DECREE : Dismissing the
Appeal preferred against the award
passed by the Motor Accidents Claims
Tribunal -Cum -Sub Judge,
Kovilpatti, dated 05.11.2014 made in
M.C.O.P.No.44/2008 and etc., as
stated within.