



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

Wednesday, the Third day of August Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

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CMA(MD) No.1306 of 2013

National Insurance Company Limited
rep. By its Divisional Manager,
Door No.3-A, Near Sethupathi School,
North Veli Street,
Madurai.

: Appellant/2nd Respondent

Vs.

1.A.Muthukumar : 1st respondent/1st petitioner
2.K.Vanaja : 2nd respondent/1st respondent
3.M.Manikandan : 3rd respondent/3rd respondent
4.Bajaj Alliance General Insurance
By its Divisional Manager,
Madurai-625 001,
Madurai District. : 4th respondent/4th respondent

Civil Miscellaneous Appeal filed Under Section 173 of Motor Vehicles Act the Judgment and Decree passed by the Motor Accident Claims Tribunal (Sub Judge) Aruppukottai, made in M.C.O.P.No.32 of 2009 dated 15.03.2012.

DECREE : This Civil Miscellaneous Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the order of the Lower Court, and the material paper in this appeal and upon hearing the arguments of Mr.D.Sivaraman, Advocate for the Appellant and Mr.M.Ramasamy, Advocate for the first Respondent, and Mr.S.Srinivasa Ragahavan Advocate for the 4th Respondent, the Respondents two and three are not appeared either in person or by an Advocate, this Court while dismissing the appeal doth order and decree as follows :-

i) that the Judgment and Decree passed by the Motor Accident Claims Tribunal, Sub Judge, Aruppukottai, made in M.C.O.P.No.32 of 2009 dated 15.03.2012 be and hereby are confirmed.

ii) that the Appellant Insurance Company /herein/2nd Respondent be and hereby is directed to deposit the entire award amount together with interest and costs within a period of eight weeks from the date of receipt of a copy of this order, less already deposited.

iii) that on such deposit, the first Respondent/herein/
<https://hcservices.ecourts.gov.in/hcservices/>
Claimant, be and hereby is permitted to withdraw the entire amount without filing any application before the tribunal.



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

/ TRUE COPY /

sd/-

Assistant Registrar (CS-I)

Sub-Assistant Registrar (C.S.)

TO

1. The Subordinate Judge,
Motor Accident Claims Tribunal
Aruppukottai.
- 2 The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.M.Ramasamy, Advocate Sr.N.42020
+1CC to Mr.S.Srinivasa Raghavan, Advocate Sr.No.42016
+1CC to Mr.D.Sivaraman, Advocate Sr.No.41628

CSL/PV/9.9.16-2p-6c

DATED : 03.08.2016

DECREE

IN

CMA(MD) No.1306 of 2013

Nature of Decree : Dismissing the Civil Miscellaneous Appeal preferred against the Judgment and Decree dated 25.09.2012 made in M.C.O.P.No.32 of 2009 on the file of the Motor Accident Claims Tribunal Sub Court Aruppukottai etc., stated within.