



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

Friday, the Twenty Fourth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CMA(MD) No.1349 of 2013

The Oriental Insurance Company Limited,
Rep. By its Divisional Manager,
Divisional Office,
6A, West Veli Street,
Bangur Dharmasala Building,
Madurai-1.

: Appellant/2nd Respondent

Vs

1.Marnaadu : 1st Respondent/Petitioner
2.L.Balamurugan : 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, against the award made in MCOP No.242 of 2010, dated 07.02.2013 on the file of the Motor Accidents Claims Tribunal-cum-IV Additional Subordinate Judge, Madurai.

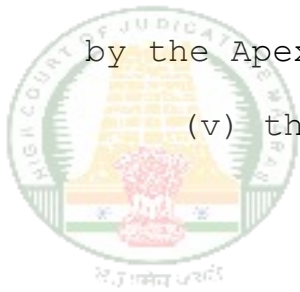
ORDER : This Civil Miscellaneous Appeal petition coming on for hearing on this day and upon perusing the grounds of Appeal and the material papers in this appeal and upon hearing the arguments of M/S.K.BHASKARAN, Advocate for the Appellant and the first Respondent Not appeared appearance either in person or by an Advocate and the Second Respondent remained exparte before the lower court, this court while dismissing the Appeal doth order and decree as follows:-

(i) that the Judgment and decree dated 07.02.2013 made in MCOP.No.242 of 2010 by the Motor Accidents Claims Tribunal-cum-IV Additional Subordinate Judge, Madurai be and hereby are confirmed and the Civil Miscellaneous Appeal is dismissed and

(ii) that the appeallant Insurance Company/herein is 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 the same is not already deposited and

(iii) that on such deposit, the claimant be and hereby is permitted to withdraw the entire amount without filing any formal petition before the tribunal and

(iv) that the appellant Insurance Company is at liberty to recover the award amount from the insured as per the law laid down



by the Apex Court in Nanjappan's Case.

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

sd/-

Assistant Registrar(CSI)

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE IV ADDITIONAL SUBORDINATE JUDGE,
MADURAI

COPY TO:

THE SECTION OFFICER/RECORD KEEPER,
V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. C.C. to M/S.K.BHASKARAN Advocate SR.No.33116

ORDER DATED:24/06/2016

DECREE

CMA(MD) No.1349 of 2013

While dismissing the Appeal
Criminal Miscellaneous Appeal
is filed Under Section 173 of
Motor Vehicles Act against the
award made in MCOP.No.242 of
2010 dated 07.02.2013 on the
file of the Motor Accidents
Claims Tribunal-cum-IV
Additional Subordinate Judge,
Madurai as stated within.

JAM/28.11.16/SKS-RR/ 2p-4c