



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

Tuesday, the Twenty Ninth day of November Two Thousand Sixteen

PRESENT

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

CMA(MD) No.1414 of 2013

The Branch Manager,
The Oriental Insurance Co. Ltd.,
Pollachi Town,
Pallachi Taluk,
Coimbatore District.

.. Appellant/3rd Respondent

Vs.

1.Nachimuthu Gounder (Died)
2.Kuppathal

.. 1st & 2nd Respondents/1st & 2nd
Petitioners

3.N.Natarajan

.. 3rd Respondent/1st Respondent

4.M.Mani

.. 4th Respondent/2nd Respondent

(3rd and 4th Respondents remained exparte
before the lower Court)

5.M.Thangathai

.. 5th Respondent

(Cause title accepted vide Court order dated
18.04.2013 made in MP.No.1 of 2009 in
CMA.No.SR4072 of 2007 by this Court)

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and decree dated 21.06.2006 in M.C.O.P.No.288 of 2001 on the file of the Motor Accidents Claims Tribunal-cum-Subordinate Court, Palani.

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 these Appeals and upon hearing the arguments of Mr.K.Bhaskaran, Advocate for the Appellant and Mr.K.Saravanan, Advocate for Mr.V.Muthuramalingam, Advocate for the 2nd respondent and the 5th respondent not appeared in person or by an advocate and this Court doth order and decree as follows:

1.That the award dated 21.06.2006 in MCOP.No.288 of 2001 passed by the Motor Accident Claims Tribunal-cum-Subordinate Court, Palani, be and hereby is confirmed and the Civil Miscellaneous Appeal is Dismissed.

2.That the appellant/Oriental Insurance Company Limited be and hereby is directed to deposit the entire award amount with accrued interest within a period of four weeks from the date of receipt of a copy of this order, if not already deposited.

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

3.That the respondents/claimants be and hereby are permitted to



withdraw the entire award amount through RTGS, by filing necessary application before the Tribunal.

4. That there be No costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

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To

The Motor Accidents Claims Tribunal-cum-Subordinate Judge, Palani.

Copy to :

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.S.R.SURESH KUMAR, ADVOCATE IN SR No. 73822

+ 1 CC TO Mr.K.BHASKARAN, ADVOCATE IN SR No. 7887

VSA

js/SKN-RSK : 27/03/2017 : 2P/5C

DECREE

CMA(MD) No.1414 of 2013

Nature of the DECREE

Dismissing the appeal preferred against the judgment and decree passed M.C.O.P.No.288 of 2001, dated 21.06.2006, on the file of the Motor Accidents Claims Tribunal-cum-Subordinate Judge, Palani, and etc., as stated within.