



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

Friday, the Twenty Fifth day of November Two Thousand Sixteen

PRESENT

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

CMA(MD) No.575 of 2013

The Oriental Insurance Co. Ltd.,
through its Divisional Manager,
2nd Floor, S.V.Complex,
179, Easwaran Kovil Street,
Pandicherry.

.. Appellant/2nd Respondent

-Vs-

1.A.Ragupathy
2.M.Thanikasalam
(R2 has given up)

.. R1/Petitioner
.. Respondent No.2/R.1

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, pleased to set aside the order of the MACT cum III Additional Sub Judge, Tiruchirappalli made in MCOP No.154 of 2009, dated 09.09.2011.

ORDER : This Appeal coming on for hearing on this day.

Upon perusing the grounds of Appeal, the order of the Lower Court, and this material papers in this appeal and upon hearing the arguments of Mr.C.JAWAHAR RAVINDRAN, Advocate for the Appellant, and of Mr.N.SUDHAGAR NAGARAJ, Advocate for the first Respondent and this court, while dismissing the appeal, doth order and decree as follows:-

(i) That the appeal passed by the Motor Accident Claims Tribunal III Additional Subordinate Judge dated 09.09.2011 made in M.C.O.P.No.154 of 2009 be and hereby is confirmed and the CMA is Dismissed.

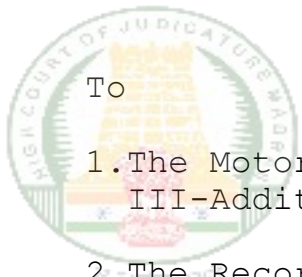
(ii) That the appellatant insurance company herein/he and in hereby directed to deposit the entire award amount with accrued interest and costs, if the same is already not deposited, to the credit of M.C.O.P.No.154 of 2009, on the file of the Motor Accidents Claims Tribunal, III-Additional Sub Judge, Tiruchirappalli, within a period of four weeks from the date of receipt of the copy of this Judgement.

(iii) That On such deposit being made, the respondent/claimant be and is hereby permitted to withdraw the entire award amount with accrued interest and costs, through RTGS by filing necessary applications before the Tribunal concerned; and

(iv) That there be no costs in this Court

Sd/-

Assistant Registrar(CO)



To

1.The Motor Accident Claims Tribunal,
III-Additional Sub Judge, Tiruchirappalli.

2.The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.N.SUNDHAGAR NAGARAJ,ADVOCATE, SR NO:73096

+1 cc to MR.C.JAWAHAR RAVINDRAN, ADVOCATE, SR NO:73268

DECREE

CMA.(MD).No.575 of 2013

Dated: 25.11.2016

Nature of Decree: Dismissing the appeal preferred against the Judgement and Decree passed in M.C.O.P.No.154 of 2009 dated 09.09.2011 on the file of the Motor Accident Claims Tribunal Cum III Additional Sub Judge, Tiruchirappalli etc.. stated within.

PJL

SVA/SV/MMS/09.02.2017/2P/5C