



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

Friday, the Fourth day of November Two thousand and Sixteen
PRESENT

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A(MD)No.183 of 2011

and

M.P(MD)No.1 of 2011

The Oriental Insurance Company Ltd.,
through its Branch Manager,
555/1, Government Hospital Road,
Theni.

.. Appellant/2nd Respondent

-Vs-

1.Gunasekaran

.. 1st Respondent/petitioner

2.Easwaran

.. 2nd Respondent/1st Respondent

3.Mayan

(3rd respondent remained

ex-parte before the lower Court).. 3rd Respondent/3rd Respondent

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Award passed by the Motor Accidents Claims Tribunal cum Sub Judge, Uthamapalayam made in M.C.O.P.No.79 of 2009, dated 30.10.2010.

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 Ms.Lingeshwari, Advocate representing Mr.K.Guhan, Advocate for the 1st respondent and the 3rd respondent not appeared in person or by an advocate an this Court doth order and decree as follows:

1.That the award dated 30.10.2010 in M.C.O.P.No.79 of 2009 passed by the learned Motor Accident Claims Tribunal cum Sub Judge, Uthamapalayam be and is hereby confirmed and the Civil Miscellaneous Appeal is dismissed.

2.That as 50% of the award amount has already been deposited the appellant / Insurance Company be and is hereby directed to deposit balance 50% of the award amount with accrued interest and costs within a period of four weeks from the date of receipt of a copy of this order.



3.The first respondent /claimant is hereby permitted to withdraw the entire award amount with accrued interest and costs, by making necessary applications before the Tribunal.

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

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
The Motor Accidents Claims Tribunal
cum Sub Judge, Uthamapalayam.

Copy to :

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

+1cc to Mr.K.Guhan, Advocate in SR No.65897
+1cc to Mr.K.Bhaskaran, Advocate in SR No.65816

C.M.A(MD)No.183 of 2011
04.11.2016

DECREE

Dismissing the Civil Miscellaneous Appeal against the decree and judgment dated 30.10.2010 made in MCOP.No.79 of 2009 on the file of the Motor Accident Claims Tribunal cum Sub Judge, Uthamapalayam and giving directions etc. as stated within.

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