



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

Wednesday, the Ninth day of November Two Thousand Sixteen

PRESENT

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

CMA(MD) No.851 of 2011

The Branch Manager,
National Insurance Company Limited,
112, North Car Street,
Nagercoil.

.. Appellant/2nd Respondent

-Vs-

1.Balasubramanian

.. 1st Respondent/Petitioner

2.D.Sekar Kumar

.. 2nd Respondent/1st Respondent

Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act 1988, against the Award of compensation passed by the Motor Accident Claims Tribunal/Sub Curt, Valliyoor, dated 29.01.2011 made in M.C.O.P.No.157/2009.

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 papers relating to the Case and upon hearing the arguments of Mr.R.Srinivasan, Advocate for the Appellant, and Mr.AR.Jeyaruthran, Advocate for the 1st Respondent, where as the 2nd Respondent is set exparte, this Court while dismissing the appeal, doth the decree and order as follows :

1) that the Award of Compensation passed by the Motor Accidents Claims Tribunal/Sub Court, Valliyoor, dated 29.01.2011 made in M.C.O.P.No.157/2009 be and hereby is confirmed.

2) that the appellant Insurance Company do 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.

3) that on such deposit is being made by the appellant Insurance Company, the First respondent/Claimant is permitted to withdraw the entire award amount with accrued interest and costs by making necessary applications before the Tribunal.

4) that the appellant Insurance do recover the award amount from the driver of the vehicle as per decision laid down by the Hon`ble Supreme Court in Nanjappan's case therein



5) that there be no costs on the appeal.

/ TRUE COPY /

sd/-

Assistant Registrar (CS-II)

Sub-Assistant Registrar (C.S.)

WEB COPY

To
The Motor Accident Claims Tribunal,
Subordinate Judge, Valliyoor.

Copy To : The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.A.R.Jeyaruthran, Advocate Sr.No.68006
+1CC to Mr.R.Srinivasan, Advocate Sr.No.67322

GJM/GSV/PM/2.1.17-2p-5C

DECREE

IN

CMA(MD) No.851 of 2011

Date :09/11/2016

Nature of DECREE : Dismissing the
Appeal against the Award of
Compensation passed by the Motor
Accident Claims Tribunal/Subordinate
Judge, Valliyoor, Dated 29.01.2011
made on M.C.O.P.No.157/2009 etc.,