



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE FOURTH DAY OF OCTOBER

TWO THOUSAND AND NINETEEN

PRESENT

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

C.M.A.No.466 of 2017

1. Amul
2. Diwakar
3. Divya
4. Nagavalli ... Appellants/Petitioners

(Cause title accepted vide Court Order
dated 25.04.2013 in MP 1/2013 in
CMA.SR.11308/2013)

Vs

1. Dhandapani
2. The Divisional Manager,
The United India Insurance Company Limited,
No.46, Katpadi Road,
Vellore. ... Respondents/Respondents

Prayer:The Civil Miscellaneous Appeals is filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and Decree dated 25/10/2006 made in M.C.O.P No.128 of 2006 on the file of the Motor Accident Claims Tribunal, District Judge, Thiruvannamalai.

DECREE:This Civil Miscellaneous Appeal coming on for hearing on this day, and upon perusing the grounds of petition, the Judgment and decree of the lower court and the material records made available in this case and upon hearing the arguments of Ms.M.Malar, Advocate for the Appellant and of Mr.S.Arunkumar, Advocate for the 2nd Respondent and 1st Respondent set exparte before the Tribunal and the appellant has paid the necessary Additional Court fee for the enhanced compensation vide Memo No.24294 dated 19/08/2021 this Court while allowing this Civil Miscellaneous Appeal in part doth order and decree as follows;

i)that the Second Respondent herein/Insurance Company be and hereby is directed to deposit the modified amount of compensation, less the amount if any already deposited,



within a period of four weeks from the date of receipt of a copy of this Judgment;

ii)that on such deposit being made, that the appellants herein/Claimants be and hereby are permitted to withdraw their respective shares, on making proper application before the Tribunal below;

iii)that the 2nd Respondent herein/Insurance Company can proceed against the Owner of the vehicle to recover the compensation as ordered by the Tribunal below;

iv)that there be no costs in this Civil Miscellaneous Appeal;

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

av/km

To

The District Judge,
Motor Accidents Claims Tribunal,
Thiruvannamalai.

Copy to

The Section Officer,
VR Section, Madras High Court.

+1cc to Mr.S.Arunkumar, Advocate, SR.No.85229.

Dated:04/10/2019

DECREE

C.M.A.No.466 of 2017

While allowing the Civil Miscellaneous Appeal in part against the Judgment and decree dated 25/10/2006 made in MCOP No.128 of 2006 on the file of the Motor Accidents Claims Tribunal, District Judge, Thiruvannamalai etc., as stated within.

RR(CO)

srg 30/09/2021