

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2017

CORAM : THE HONOURABLE Mr. JUSTICE N.SESHASAYEE

CMA.No.1909 of 2013

1.S.Rukmani
2.P.Sankaranarayan
3.S.Chandrasekaran

... Appellants

Vs.

1.R.Madankumar
2.R.Rajasekaran

3.United India Insurance Company Limited
New Delhi.

... Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the decree and judgment dated 12.10.2012 made in MCOP No.300 of 2010 on the file of the Motor Accident Claims Tribunal, II Additional District Court, Erode.

For Appellants : Mr.D.Lourthu Paul Belson
for Mr.M.Thomas Acqunias
For Respondents : Mr.T.Ravichandran for R3
No Appearance for R1

JUDGMENT

This appeal is preferred by the claimants in MCOP.No.300 of 2010 on the file of the Motor Accident Claims Tribunal, II Additional District Court, Erode. The Tribunal has granted an award for Rs.8,44,600/- and reduced it by 50%, as it apportioned the negligence component in equal terms to the victim of the accident. The second respondent, the owner of the other vehicle involved in the accident and the third respondent, the Insurance Company of the said vehicle are held liable to pay Rs.4,22,300/- with interest at 7.5% per annum.

2. The learned counsel for the appellants seeks permission of this Court to withdraw this appeal and has submitted a letter to the Registry dated 19.12.2016. He has also made an endorsement to that effect in the case bundle. Accordingly this appeal is dismissed as not pressed. No costs.

3. The third respondent/Insurance company is directed to deposit the amount that it is liable to pay under the award, if it has not already deposited, within four weeks from the date of receipt of a copy of this order, whereupon the appellants are free to withdraw the same forthwith.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ds

To

- 1.The Motor Accident Claims Tribunal,
II Additional District Court,
Erode.
 - 2.The Section Officer,
VR Section, High Court, Madras.
 - 3.United India Insurance Company Limited
New Delhi.
- +1 cc to M/s.A.Madhumathi Advocate sr 4713
+2 ccs to M/s.D.Lourthu Paul Belson Advocate sr 4656
+1 cc to Mr.T.Ravichandran Advocate sr 4630

CMA.No.1909 of 2013

mv (co)
aa15/02/2017

WEB COPY