



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, The Seventh Day of March Two Thousand Seventeen

PRESENT

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.(MD)No.135 of 2017 and C.M.P(MD)No.1463 of 2017

The Branch Manager,
Shriram General Insurance Co. Ltd,
EB Rocko Industrial Area, Sitapura
Jaipur, Rajasthan 302 022.

... Appellant/ 2nd Respondent

Vs.

1 Murugan,
2.Sami,
3.Aruljeyanathan

... 1st Respondent /Petitioner

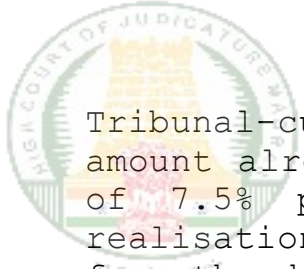
4. The Branch Manager,
The Oriental Insurance Company Ltd.,
TDJ Centre, I-Floor,
Opp. To Vadaseri Bus Stand,
Nagercoil 629 001. ...Respondents 2 to 4/Respondents 1, 3 & 4

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988 against the judgment dated 12.01.2012 made in MCOP.No.115/2010 on the file of the Motor Accidents Claims Tribunal-cum- Chief Judicial Magistrate, Tirunelveli.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the Judgment and Decree of the Lower Court and the material papers in this appeal and upon hearing the arguments of Mrs.K.R.Shiva Shankari, for Mr.S.Srinivasa Raghavan, Advocate for the Appellant and Mr.V.Sasiskumar, Advocate for R1, Mr.K.R.Laxman for R.2 and Mr.K.Bhaskaran for R.4 and this Court doth order and decree as follows:-

1. That the judgment and decree dated 12.01.2012 made in M.C.O.P No.115 of 2010, on the file of the Motor Accidents Claims Tribunal-Cum-Chief Judicial Magistrate, Tirunelveli be and hereby confirmed and the appeal is dismissed;

2. that the appellant/Insurance Company be and hereby is directed to deposit the entire award amount to the credit of M.C.O.P.No.115 of 2010, on the file of the Motor Accidents Claims



Tribunal-cum-Chief Judicial Magistrate, Tirunelveli less the amount already deposited, if any, along with interest at the rate of 7.5% per annum from the date of petition till date of realisation and proportionate costs within a period of six weeks from the date of receipt of a copy of this judgment.

3. that on such deposit, the Tribunal be and hereby is directed to transfer the award amount to the Personal Savings Bank Account Number of the Claimant, after getting their Account details, within a period of two weeks thereafter.

4. that there be no order as to costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Judicial Magistrate - cum - Motor Accident Claims Tribunal, Tirunelveli.

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

+1 cc to Mr.J.Srinivasaraghavan, Advocate, SR.No. 13296

+1 cc to Mr.K.Bhaskaran, Advocate, SR.Nos. 12952

ORDER DATED: 07.03.2017

DECREE

C.M.A. (MD) No.135 of 2017

Dismissing the Civil Miscellaneous Appeal by confirming the Judgment and Decree dated 12.01.2012 made in M.C.O.P.No.115 of 2010, on the file of the Motor Accidents Claims Tribunal-Cum-Chief Judicial Magistrate, Tirunelveli.

KK/SV MMS/04.04.2017/2P/5C