



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Eighth day of August Two Thousand and Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMA(MD) No.285 of 2017

The Manager,
Oriental Insurance Company Ltd.,
D.D.J.Centre, 1st Floor,
Vadasery Bus Stand Opposite,
Kanyakumari District.

... Appellant / 3rd Respondent

Vs.

1.Sulochana
2.Minor Berlin Sunifa
3.Minor Ajith
4.Sathish
5.Anisha
6.The Manager,

... Respondents 1 to 3 / Petitioners

... Respondents 4 & 5/Respondents 1 & 2

United India Insurance Company Ltd.,
3/33B, P.P.K. Building Main Road,
Marthandam,
Kanyakumari District.

...6th Respondent/4th Respondent

[Minor 2 & 3 Represented through their
mother and 1st Respondent]

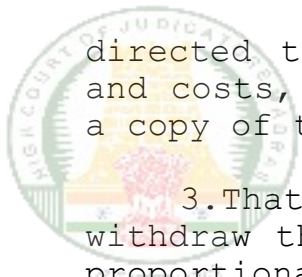
Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 26.03.2014 in M.C.O.P.No.5 of 2013 on the file of the Subordinate Judge, Motor Accidents Claims Tribunal, Kuzhithurai.

DECREE : This Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the order of the Lower Court, and upon hearing the arguments of Mr.S.Veerasamy, advocate for the appellant, and of Mr.V.M.Balamohan Thambi advocate for the Respondents No.1 to 3, and of Mr.G.Prabhu Rajadurai advocate for Respondent No.6, and of Mr.S.Royce Immanuel, advocate for the Respondent No.5, and the Respondent No.4 not appearing in person or by an advocate this Court while dismissing the appeal doth order and decree as follows:

1.That the award passed by the Subordinate Judge, Motor Accident Claims Tribunal, Kuzhithurai in MCOP.No.5 of 2013 dated 26.03.2014, be and is hereby confirmed and this Civil Miscellaneous Appeal is dismissed.

<https://hcservices.ecourts.gov.in/hcservices/>

2.That the Appellant/Insurance company be and is hereby



directed to deposit the entire award amount with accrued interest and costs, within a period of six weeks from the date of receipt of a copy of this order, if not already deposited.

3. That the Respondents/Claimants be and are hereby permitted to withdraw their respective share as apportioned by the Tribunal with proportionate interest and costs.

4. That the Share of the Minors be and hereby is directed to be deposited in one of the nationalized banks under fixed deposit.

5. That the first Claimant, who is the mother of the Minor, be and is hereby directed to withdraw interest once in three months from the bank directly till they attain majority.

6. That there be no costs in this appeal.

sd/-
Assistant Registrar(AE)

/ TRUE COPY /

Sub-Assistant Registrar

To,

1. The Subordinate Judge,
Motor Accidents Claims Tribunal,
Kuzhithurai.

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

+1 cc to Mr.S.Veerasamy , Advocate in SR.No. 71568
+1 cc to Mr.V.M.Balamohan Thambi , Advocate in SR.No. 71535

AE/SKN RSK/SAR1/30.08.2017/2P/5c

ORDER DATED :08/08/2017
DECREE
CMA(MD) No.285 of 2017

Nature of the Decree:
Dismissing the appeal
preferred against the award
of the Subordinate Judge
(Motor Accident Claims
Tribunal), Kuzhithurai in
MCOP.No.5 of 2013 dated
26.03.2014 etc., as stated
within.