



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

Tuesday, the Twenty Fourth day of January Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.KIRUBAKARAN

CMA(MD) No.3 of 2017

The Divisional Manager,
Royal Sundaram Alliance Insurance Company Ltd.,
46, Whites Road,
Chennai - 600 014.

... Appellant/2nd Respondent

Vs.

1.M.Kannan
2.K.Nawabjan
3.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Anna Salai,
Chennai.

... 1st Respondent/Petitioner

... Respondents 2 & 3/Respondents 1 & 3

This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, has been filed to set aside the Judgment and Decree dated 19.04.2011, made in M.C.O.P.No.1446 of 2007, by the Motor Accident Claims Tribunal - cum - IV Additional Sub Judge, Madurai.

Decree : This 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 the Appeal and upon hearing the arguments of Mrs.K.R.Shiva Sankari for Mr.S.Srinivasa Raghavan, Advocate for the Appellant and Respondents not entered either in person or through Advocate, this Court while dismissing this Appeal, doth order and decree as follows :-

1) that the Judgment and decree dated 19.04.2011 made in MCOP.No.1446 of 2007 on the file of the Motor Accidents Claims Tribunal -Cum-IV Additional Sub Judge, Madurai be and hereby are confirmed and the Civil Miscellaneous Appeal is dismissed ;

2. that the appellant Insurance Company do deposit the entire award amount alongwith interest at the rate of 7.5% per annum from the date of petition till date of realization and also proportionate costs, less the amount already deposited, if any, to the credit of MCOP.No.1446 of 2007, on the file of Motor Accident Claims Tribunal cum-IV Additional Subordinate Judge, Madurai within a period four weeks from the date of receipt of a copy of this Decree :

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

3. that on such deposit, the Tribunal transfer the same to the personal Savings Account Number of the first respondent/ claimant



through RTGS/NEFT system, after getting his Account details, within a period of two weeks thereafter.

4. that there be no costs in this Civil Miscellaneous Appeal.

sd/-

Assistant Registrar (CS-I)

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1.The Motor Accident Claims Tribunal - cum -
IV Additional Subordinate Judge, Madurai.

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

+1CC to Mr.S.Srinivasa Raghavan, Advocate Sr.No.4292

GJM/CM/MSA/9.2.17-2p-4C

DECREE

IN

CMA(MD) No.3 of 2017

Date :24/01/2017

Nature of the DECREE : Dismissing this Civil Miscellaneous Appeal preferred against Judgment and Decree passed by Motor Accident Claims Tribunal-Cum-IV Additional Sub Judge, Madurai made in MCOP.No1446 of 2007 dated 19.04.2011 etc., as stated within.