



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Nineteenth day of December Two Thousand and Seventeen

PRESENT

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.A. (MD) No.1338 of 2016

The Branch Manager,
Reliance Insurance Company Ltd,
Main Road, Tanjore - 20.

... Appellant/2nd Respondent

Vs.

1. Mariammal
2. Minor Jeyapriyadharshini
3. Minor Kaviya
(Minor Respondents 2 and 3 are
rep. through their grand mother and
natural guardian, 1st respondent)

4. Arunkasi ... Respondents

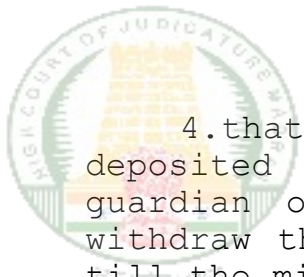
This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988 has been filed against the award dated 09.12.2013, made in MCOP.No.9 of 2011 on the file of the Motor Accident Claims Tribunal, (Subordinate Judge), Sankarankovil.

DECREE: This Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the award of the tribunal and the material papers in the Appeal and upon hearing the arguments of Mr.K.Gokul, Advocate for Appellant, Mr.J.C.Rathinavel Pandian, Advocate for respondents 1 to 3 and Mr.V.Sasikumar, Advocate for fourth respondent, this Court doth order and decree as follows:

1. that the award dated 09.12.2013 made in MCOP No.9 of 2011 on the file of the Motor Accidents Claims Tribunal (Subordinate Judge), Sankarankovil be and hereby is confirmed and the Civil Miscellaneous Appeal do stand dismissed;

2. that the appellant do deposit the entire compensation as awarded by the Tribunal, with interest at the rate of 7.5% per annum from the date of petition till the date of realization, within a period of eight weeks from the date of receipt of a copy of this order, less the amount already deposited, if any;

3. that on such deposit being made, the first respondent shall withdraw her share as apportioned by the Tribunal, by filing proper application, less the amount already withdrawn by her;



4.that the shares of the minor claimants/Respondents 2 & 3 be deposited in any one of the Nationalized Bank and the natural guardian of the minors/grand mother (first respondent) shall to withdraw the interest once in three months directly from the Bank, till the minors attain majority;

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge, (Motor Accident Claims Tribunal),
Sankarankovil.

Copy to:

The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court, Madurai (2 copies)

+1CC to Mr.K.Gokul, Advocate, SR.No. 94694

+1CC to Mr.J.C.Rethinavel Pandian, Advocate, SR.No. 93929

+1CC to Mr.V.Sasikumar, Advocate, SR.No. 93629

DATED : 19.12.2017

DECREE

C.M.A. (MD) No.1338 of 2016

Nature of the DECREE: Dismissing this Civil Miscellaneous Appeal preferred against judgment and decree passed by Motor Accident Claims Tribunal, Subordinate Judge, Sankarankovil made in MCOP No.9/2011 dated 09.12.2013 etc., as stated within.

KK/KKR/SAR 2/23.04.2018/2P/7C