

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Tuesday, the Nineteenth day of December Two Thousand and Seventeen****PRESENT****The Hon`ble Mr.Justice G.R.SWAMINATHAN****CMA(MD) No.897 of 2017**

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K.S.Sundarapandian

... Appellant/Respondent No.1

Vs.

1. Thirugnanam ... 1st Respondent/Petitioner
2. Royal Sundaram Alliance Insurance Company Limited,
rep. By its Branch Manager,
Door No.37, TVS Co-operative Stores Building, Krishna Rao Tank Street,
Madurai Town, Madurai District ...2nd Respondent/Respondent No.2

Civil Miscellaneous Appeal filed against judgment and decree of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Sivagangai, dated 27.01.2014 made in M.C.O.P.No.148 of 2011.

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 this Appeal and upon hereing the arguments of Mr.M.Suri, Advocate for the Appellant and of Mr.M.E.Ilango, Advocate for the Second Respondent and first respondent has not appeared either in person or through an Advocate and in persuance of the submission made by the counsel for appellant that a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) was deposited by the Appellant this court while allowing the appeal to the following extent, doth order and decree as follows:

i) that the award of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Sivagangai, dated 27.01.2014 made in M.C.O.P.No.148 of 2011 be and hereby is modified;

ii) the the second respondent herein / insurance company do and hereby is directed to 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 and costs, within a period of eight weeks from the date of receipt of a copy of the judgment, less the amount already deposited, if any;

iii) that, on such deposit being made, the first respondent herein/claimant do and hereby is permitted to withdraw the same by filing proper application before the Tribunal, less the amount already withdrawn by the claimant, and

iv) that the appellant herein, having deposited a sum of Rs.25,000/- do and hereby is permitted to withdraw the same;



v) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(RTI)

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/True Copy/

Sub Assistant Registrar

To

The Motor Accident Claims Tribunal,
Chief Judicial Magistrate, Sivagangai.

Copy to

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

+1cc to Mr.M.Suri, Advocate SR.No.93949

VB/SKN/RSK/SAR2/12.06.2018/2P/5C

DATED :19/12/2017

DECREE

CMA(MD) No.897 of 2017

Nature of the decree: While allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Sivagangai, dated 27.01.2014, made in M.C.O.P.No.148 of 2011.