



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Wednesday, the First day of November Two thousand and Seventeen

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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C.M.A.(MD)No.731 of 2015

Cholamandalam M.S.General Insurance
Co.Ltd, "Dare House",
2nd Floor, NSC Bose Road,
Chennai - 600 001.

... Appellant / 2nd Respondent
Vs.

1.Amutha

2.Kumar

...Respondents 1&2 /Petitioners

3.Aundiappan

... 3rd Respondent / 1st Respondent

This Civil Miscellaneous Appeal has been filed under section 173 of Motor Vehicles Act, 1988 against the Award passed by the Motor Accident Claims Tribunal,[Additional District and Sessions Judge], Dindigul in M.C.O.P No.551 of 2010 dated 28.03.2013.

ORDER: This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal, the award of the Motor Accident Claims Tribunal[Additional District and Sessions Judge],Dindigul, and the material papers to this case and upon hearing the arguments of Mr.S.Srinivasa Raghavan, Advocate for the Appellant and Mr.S.Pon Senthil Kumaran, Advocate for first Respondent and the appeal against the second respondent having been dismissed and the third respondent not appeared in person or through an Advocate, this court doth order and decree as follows:

1.That the award dated 28.03.2013 passed in M.C.O.P No.551 of 2010 by the Additional District and Sessions Judge, Motor Accidents Claims Tribunal, Dindigul, be and hereby is confirmed, and the Civil Miscellaneous Appeal is Dismissed;

2.That the appellant/Insurance Company, do deposit the entire award amount with accrued interest and costs, at the rate of 7.5% per annum and costs, 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3.that on such deposit, the claimants/Respondents 1&2 shall withdraw the said sum, less the amount already withdrawn by them , if any, by filing proper application before the Tribunal.

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

4.That there be no order as to costs in this Civil



Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

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To

1. The Additional District and Sessions Judge,
The Motor Accident Claims Tribunal,
Dindigul

Copy to:

The Section officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. S. PON SENTHIL KUMARAN, Advocate, SR. 84733

+1cc to Mr. S. SRINIVASA RAGHAVAN, Advocate, SR. 84769

DATED: 01.11.2017

DECREE

C.M.A. (MD) No. 731 of 2015

Dismissing the Appeal preferred against the order and decree of the Motor Accidents Claims Tribunal, [Additional District and Sessions Judge], Dindigul dated 28.03.2013 made in M.C.O.P. No. 551/10 and ect., as stated within.

SKM

KK/SKN RSK/SAR 1/23.11.2017/ 2P- 5C/