



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Wednesday, the Second day of August Two Thousand and Seventeen
PRESENT

THE HONOURABLE MRS. JUSTICE J. NISHA BANU
CIVIL MISCELLANEOUS APPEAL (MD) No. 1183 OF 2011

1 M/S. TAMIL NADU STATE TRANSPORT CORPORATION DIVISION-2,
PERIAMILAGUPARAI, TRICHY-1. ... APPELLANT

VS.

1 ANBARASI (MINOR) D/O. BOOMIRAJ
REP. BY MOTHER & NEXT FRIEND LAKSHMI,
W/O. BOOMIRAJ, NORTH SOZIAKKUDI, AVOOR POST,
MATHUR VIA, PUDUKOTTAI DISTRICT.
2 P. ARUNACHALA MOOPPANAR
S/O. PALANI MOOPPANAR,
26, ANANDHI AMMAN KOIL STREET, SRIVAICKUNDAM, THOOTHUKUDI DISTRICT.
3 UNITED INDIA INSURANCE COMPANY THIRUNELVELI.

... RESPONDENTS

PRAYER IN CMA (MD) No. 1183 OF 2011: Appeal filed under Section 173 of the Motor Vehicles Act 1988, to set aside the judgment and decree passed in M.C.O.P. No. 619/2002 dated 11/08/2006 on the file of the Motor Accident Claims Tribunal (3rd Additional subordinate Judge), Tiruchirapalli.

ORDER: This Appeal coming on for hearing on this day and 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 Mr. S. C. Herold Singh, Advocate for the Appellant and of Mr. S. Natarajan, Advocate for the third Respondent, the first and second respondents neither appeared in person nor by an Advocate, this Court, while dismissing the Appeal, doth order and decree as follows:

1. that the order and decretal order dated 11.08.2006 made in M.C.O.P. No. 619 on the file of the Motor Accident Claims Tribunal/ III Additional Sub Judge, Tiruchirapalli be and hereby are confirmed and the Civil Miscellaneous Appeal is dismissed;

2. that the Appellant/State Transport Corporation be and hereby is directed to deposit the share of the minor Claimant in anyone of the Nationalised Bank in a fixed deposit scheme, till she attains majority;

3. that the mother and guardian of the minor claimant is permitted to withdraw the accrued interest once in three months directly from the bank only for the welfare of the minor; and

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

Sd/-

Assistant Registrar (CO)



To

1. III Additional Sub Judge/The Motor Accident Claims Tribunal
Tiruchirapalli.

2. United India Insurance Company Limited,
Thirunelveli.

Copy to:

3. The Section officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.NATARAJAN, Advocate, SR.70126

+1cc to Mr.J.ANANDKUMAR, Advocate, SR.69990

+1cc to Mr.S.C.HEROLD SINGH, Advocate, SR.69489

DATED: 02.08.2017

DECREE

CMA (MD) No.1183 OF 2011

Dismissing this Civil
Miscellaneous Appeal etc., as
stated within.

KK/JC/SAR 1/21.11.2017/ 2P- 7C