



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. 1184 OF 2011

WEB COPY

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

VS.

1 A. MOHAMMED KASIM S/O. ABDUL HAMEED,
127, KAMARAJ NAGAR, MUSLIM STREET, AIRPORT, TRICHY.
2 P. ARUNACHALA MOOPANAR S/O. PALANI MOOPANAR,
26, ANANDHI AMMAN KOIL STREET, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.
3 UNITED INDIA INSURANCE COMPANY, THIRUNELVELI. ... RESPONDENTS

PRAYER IN CMA (MD) No. 1184 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. 621/2002 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. 621/2002 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 entire award amount with accrued interests and costs within a period of four weeks from the date of receipt of a copy of this order, if not already deposited and on such deposit being made, the respondent No. 1 injured be and hereby are permitted to withdraw his share with accrued interests and costs; and

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

Sd/-

Assistant Registrar (CO)

/True copy/



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.1184 OF 2011

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

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