



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the First day of August, Two Thousand and Seventeen

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A (MD) No.1188 of 2011

Branch Manager,
The Oriental Insurance Co., Ltd.,
Sathiyamurthy Road,
Pudhukottai.

... Appellant / Respondent No.2

Vs.

1.Mrs.Tamilselvi
2.Minor.Vetrichelvan
3.Minor.Karthick
4.Mr.Rathinasamy
5.Mrs.Gundumani ...Respondents 1 to 5 / Petitioners 1 to 5
(Minor Respondents 2 and 3
represented through their mother
and natural guardian Mrs.Tamilselvi)

6.Mr.P.Ayyadurai ...Respondent No.6 / 1st Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award and decree made in M.C.O.P.No.49 of 2008, dated 12.10.2009, on the file of the Motor Accident Claims Tribunal cum Additional District cum Sessions Court(Special Court), Pudukottai.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the order of the Lower Court, and the material papers relating to this case and upon hearing the arguments of Mr.C.JAWAHAR RAVINDRAN, Advocate for the Appellant and of Mr.J.ANANDKUMAR, Advocate for the 6th respondent and the respondents R1, R4 and R5 not appearing either in person or by an Advocate and this Court while dismissing this appeal doth order and decree as follows:

(i) That the Award made in MCOP No.49/08 dated 12.10.2009 on the file of the Motor Accident Claims Tribunal cum Additional District cum sessions Court (Special Court), Pudukottai be and hereby is confirmed and the civil miscellaneous Appeal is dismissed.

(ii) That the Appellant/Insurance company herein be and hereby is directed to deposit the entire award amount with accrued interest and costs, within a period of eight (8) weeks from the date of receipt of a copy of this order, if not already deposited.



(iii) That on such deposit being made, the claimants herein be and hereby are permitted to withdraw their share as apportioned by the Tribunal with accrued interest and costs without filing any formal petition before the Tribunal.

(iv) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

The Motor Accident claims Tribunal
-cum- Additional District -cum-
sessions Court (Special Court),
Pudukottai.

+1cc to Mr. C. JAWAHAR RAVINDRAN, Advocate, SR. 69903

+1cc to Mr. J. ANANDKUMAR, Advocate, SR. 69218

Copy to : The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai.

DATED: 01.08.2017

C.M.A (MD) No. 1188 of 2011

DECREE

NATURE OF THE JUDGMENT:
Dismissing this Appeal against
the Award and decree made in
MCOP.No.49/08 dt.12.10.2009, on
the file of the Motor Accident
claims Tribunal cum Additional
District cum Sessions court,
Pudukottai etc, as stated
within.

KK/MR KKR/SAR 1/07.09.2017/ 2P- 5C