



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Seventh day of December Two Thousand and Seventeen

PRESENT

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A (MD) No.913 of 2013

P.Karthikeyan

... Appellant/2nd Respondent

Vs.

1.Lakshmi

2.Palanivel

3.Venkatachalam

... Respondents 1 & 2/Petitioners 1&2

... 3rd Respondent/1st Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Award and Degree dated 21.11.2012 passed in M.C.O.P.No.428 of 2009 on the file of the Motor Accident Claims Tribunal, District Judge, Karur.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on Tuesday, Twenty Second day of August 2017, upon perusing the grounds of Appeal, the award of the Tribunal and the material papers relating to this case, and upon hearing the arguments of Mr.S.P.Maharajan, Advocate for the Appellant and of Mr.K.Suresh Kumar, Advocate for the respondents 1 to 2 and the 3rd respondent not appearance either in person or through an Advocate, and having stood over for consideration till this day, this Court while allowing this Appeal doth order and decree as follows:

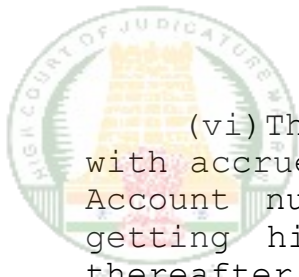
(i) That the Award dated 21.11.2012 passed in MCOP No.428/2009 on the file of the Motor Accident Claims Tribunal, District Judge, Karur do stands confirmed;

(ii) That the 3rd respondent herein viz., Venkatachalam do liable to pay compensation to the Claimants;

(iii) That the 3rd respondent herein is directed to deposit the entire award amount along with accrued interest and costs, less the amount already deposited, if any, to the credit in MCOP No.428/2009 on the file of the Motor Accident Claims Tribunal, District Judge, Karur with in a period of four weeks (4) from the date of receipt of a copy of the Judgment;

(iv) That the Award amount shall interest at the rate of 7.5% per annum from the date of petition till date of realisation and proportionate costs;

(v) That the Claimants are entitled to the compensation, as apportioned by the Tribunal;



(vi) That the Tribunal do transfer the entire award amount along with accrued interest and costs directly to the personal Saving Bank Account number of the Claimants through RTGS/NEFT system, after getting his Account details, with in a period of two weeks(2) thereafter; and

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

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar.

To,
The District Judge,
Motor Accident Claims Tribunal, Karur.

Copy to:

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

+1CC to Mr.K.Suresh Kumar, Advocate, SR.No. 91852
+1CC to Mr.S.P.Maharajan, Advocate, SR.No. 91318

ORDER DATED : 07.12.2017

DECREE

C.M.A(MD)No.913 of 2013

Nature of the DECREE: Allowing this Appeal preferred against the award and decree dated 21.11.2012 passed in MCOP No.428 of 2009 on the file of the Motor Accident Claims Tribunal, District Judge, Karur etc., as stated within.

AM/KKR/SAR 1/30.01.2018/2P/6C