



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**Thursday, the Twelfth day of July,
Two Thousand and Eighteen**

WEB COPY

PRESENT

**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
and
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

C.M.A(MD)No.1134 of 2017

The Branch Manager,
The United India Insurance Company Ltd.,
No.7-A, West Veli Street,
Madurai. : Appellant/2nd Respondent

Vs.

1.P.Jeeva
2.S.Pandi Ganesh
3.Minor P.Ramya : R1 to R3/Claimants
(Minor rep. by 2nd respondent)
4.K.Balasubramanian : 4th Respondent/
1st respondent

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of Motor Vehicles Act against the award made in MCOP No.901 of 2015, dated 30.11.2016 by the Motor Accident Claims Tribunal (V Additional District Judge), Madurai.

Order: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to this case and upon hearing the arguments of Mr.Sivakumar, Advocate for the Appellant, Mr.G.Ganesh Kumar, Advocate for respondents No.1 to 3 and fourth respondent has not appeared either in person or through an Advocate and this court having observed that it is Represented by the learned counsel appearing for the respondents No.1 to 3/Claimants that the 3rd respondent/3rd Claimant has attained Majority, doth order and decree as follows:-

1. That the award dated 30.11.2016 made in MCOP No.901 of 2015 passed by the Motor Accident Claims Tribunal, V Additional District Judge, Madurai be and hereby is confirmed and the Civil Miscellaneous Appeal do stands dismissed;



2. That the Third respondent/Third Claimant shall withdraw the share as per the apportionment of the Tribunal without filling any formal application before the Tribunal; and

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS-III)

TO

1. The V Additional District Judge,
Motor accident Claims Tribunal,
Madurai.

Copy to

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

+1 CC To MR.G.GANESH KUMAR, Advocate SR. NO.73157

+1 CC To MR.N.SIVAKUMAR, Advocate SR. NO.72855

ORDER DATED : 12.07.2018

DECREE

CMA(MD) NO.1134 OF 2017

Dismissing the Appeal preferred against the judgment and decree dated 30.11.2016 in MCOP No.901 of 2015 passed by the Motor Accident claims Tribunal, V Additional District Judge, Madurai and etc., as stated within.

ER

TR/SKN/SAR-III (26.09.2018) 2P 6C