



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Twenty Fourth day of September Two Thousand and Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CMA(MD) No.170 of 2018

M/S.THE NEW INDIA ASSURANCE CO. LTD.,
THROUGH ITS DIVISIONAL MANAGER, MADURAI.

...APPELLANT/2nd RESPONDENT

Vs

1.B.AMMAIAPPAN

2.M.THARANYA ...RESPONDENT 1&2/PETITIONERS

3.R.VIJAYALAKSHMI ...3rd RESPONDENT/1st RESPONDENT

4.M.NATARAJAMOORTHY ...4th RESPONDENT/3rd RESPONDENT

5.M.RAJPRABHU ...5th RESPONDENT/4th RESPONDENT

(R3 T R5 NOT NECESSARY
PARTIES FOR ADJUDICATION NOTICE IS DISPENSED
WITH IN RESPECT OF THEM)

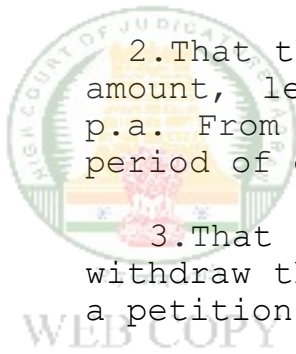
PRAYER IN CMA(MD) No.170 of 2018:

This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award, dated 04.05.2017, made in M.C.O.P.Nos.435 of 2013 on the file of Motor Accident Claims Tribunal (Special District Judge) Madurai.

DECREE:

This Appeal coming on for hearing on Tuesday the Thirty First day of July 2018, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers to the Appeal, and upon hearing the arguments of Mr.J.S.Murali Advocate for the Appellant and Mr.K.Mahendran for the Respondents 1 & 2 and having stood over for consideration till this day, this Court doth order and decree as follows:

1.That the award dated 04.05.2017 made in M.C.O.P.Nos.435 of 2013 on the file of the Motor Accidents Claims Tribunal/ Special District Judge, Madurai be and hereby is confirmed and the Civil Miscellaneous Appeal stands dismissed;



2. That the appellant/Insurance Company do deposit the entire award amount, less the amount already deposited, with interest at 7.5% p.a. From the date of petition till the date of deposit within a period of eight weeks from the date of a copy of the judgment.

3. That on such deposit being made, the claimants are permitted to withdraw the entire amount as apportioned by the Tribunal, by filing a petition before the Tribunal;

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

The Special District Judge /
Motor Accident Claims Tribunal,
Madurai.

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

- 1 CC TO Mr.J.S.MURALI , ADVOCATE IN SR No. 86315.
- + 1 CC TO Mr.K.MAHENDRAN , ADVOCATE IN SR No.86136.

ORDER DATED :24/09/2018

DECREE

CMA (MD) No.170 of 2018

Dismissing the CMA Preferred against Judgment and decree passed by Motor Accident Claims Tribunal/Special District Judge, Madurai made in M.C.O.P.Nos.435 of 2013 dated 04.05.2017.