



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twenty Ninth day of August, Two thousand and
Eighteen
present

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A. (MD) No.232 of 2018

1.M.Chinna Veeranan
2.M.Periya Veeranan
3.M.Muthulakshmi
4.M.Mathimuthu

... Appellants/Claimants

Vs.

1.V.Arumugam
2.The Branch Manager,
United India Insurance Company Ltd.,
No.91, Kamarajar Salai,
Madurai - 9.

... Respondents/Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award passed in MCOP No.691 of 2012, dated 24.03.2017 on the file of the Motor Accident Claims Tribunal, District and Sessions Court for Communal Clash Cases Court, Madurai.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on Friday, the Twentieth day of July, Two Thousand and Eighteen 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.K.Kumaravel, Advocate for the Appellant, first respondent has not appeared either in person or through an Advocate, and of Mr.Royce Emmanvel, Advocate for the Second Respondent; and this Court, having stood over for consideration till this date, while allowing the Appeal; doth order and decree as follows:

1.That the Judgment and decree dated 24.3.2017, made in MCOP No.691/2012 on the file of the Motor Accidents Claim Tribunal, District and Sessions Court for Communal Clash Cases Court, Madurai be and hereby is set aside and the appeal is allowed, awarding a compensation of Rs.4,00,000/-

2.That the Second Respondent herein/Insurance Company do and hereby is directed to deposit the entire award amount of Rs.4,00,000/- (Rupees Four lakh only) with interest @7.5% per annum from the date of claim petition, till the date of deposit and costs, within a period of eight weeks from the date of receipt of a copy of this judgment,



3.that on such deposit being made, the appellants herein/ Claimants shall withdraw Rs.1,00,000/- each with accrued interest and costs, without filing any formal petition before the Tribunal; and

4.that there shall be no order as to costs in this Civil Miscellaneous Appeal.

Sd/
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar(CS-I)

To

1.The Judge,
Motor Accident Claims Tribunal,
District and Sessions Court for Communal Clash Cases,
Madurai.

COPY TO:

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

+1cc to Mr.S.ROYCE IMMANUEL, Advocate, SR.No.81074

+1cc to Mr.K.KUMARAVEL, Advocate, SR.No.80717

DATED:29.08.2018

DECREE

C.M.A.(MD)No.232 of 2018

Allowing the Appeal preferred against the judgment and decree in MCOP No.691 of 2012, dated 24.03.2017 on the file of the Motor Accident Claims Tribunal, District and Sessions Court for Communal Clash Cases Court, Madurai and etc., as stated within.

KK/SKN/SAR-1/24.09.2018/4P-6C