



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Twenty Fourth day of October Two thousand and Eighteen

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.(MD) No.752 of 2018

MOHAMMED YUSUF

...Appellant/Petitioner

- Vs. -

1 PALANISAMY

2 THE DIVISIONAL MANAGER,

UNITED INDIA INSURANCE CO.LTD.,SOUTH MAIN STREET,

THANJAVUR TOWN & DISTRICT.

...Respondents/Respondents

(R1 WAS SET EXPARTE BEFORE THE TRIBUNAL HENCE NOTICE MAY BE GIVEN UP AGAINST R1)

Prayer in CMA(MD). 752/ 2018 :

This Civil Miscellaneous Appeal under Section 173 of Motor Vehicle Act, 1988 has been filed against the the award, dated 09.08.2017 made in M.C.O.P. No.1307 of 2016 passed by the Motor accident claims Tribunal /Special District Court, Thanjavur.

ORDER: This appeal coming on for admission on this day. Upon perusing the Grounds of Appeal, the judgment and decree of the Lower Court and the material papers in the Appeal and upon hearing the arguments of Mr.K.Rajendran for Mr.S.Rajaprabhu, Advocate for the Appellant, and Mr.N.Sivakumar, Advocate for the Respondent No.2, this Court while dismissing this Appeal, doth order and decree as follows:

- that the award and decree made in M.C.O.P.No.1307 of 2016 dated 09.08.2017 on the file of the Motor accident claims Tribunal / Special District Court, Thanjavur, be and hereby confirmed and the Civil Miscellaneous Appeal is dismissed;
- That the second respondent Insurance Company is directed to deposit the award amount along with accrued interest to the credit of M.C.O.P. No.1307 of 2016, on the file of the Motor Accident Claims Tribunal/Special District Court, Thanjavur, within a period of eight weeks from the date of receipt of a copy of this judgment.



- That on such deposit, the appellant/claimant is permitted to withdraw the award amount with interest by making necessary application before the Tribunal.

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

WEB COPY

Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar

To  
The Special District Judge,  
Motor Accident Claims Tribunal,  
Thanjavur.  
Copy to;  
The Record Keeper,  
V.R.Section,  
Madurai Bench of Madras High Court, Madurai. 2Copies  
+1CC to Mr.N.SIVAKUMAR , Advocate SR.No.91892.

DATED: 24.10.2018

DEGREE

C.M.A.(MD) No.752 of 2018

Nature of the Decree:-

Dismissing this Civil Miscellaneous Appeal preferred against award decree made in M.C.O.P.No. 1307 of 2016 dated 09.08.2017 on the file of the Motor accident claims Tribunal / Special District Court, Thanjavur , as stated within.