



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Wednesday, the Thirty First day of October Two Thousand Eighteen

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PRESENT

The Hon`ble Mrs. Justice PUSHPA SATHYANARAYANA
AND

The Hon'ble Mrs. Justice T.KRISHNAVALLI

CMA(MD) No.1255 of 2011

THE MANAGER,
UNITED INDIA INSURANCED COMPANY LTD
BOMBAY STORES BUILDINGS
II FLOOR, 23-C EAST CAR STREET
TENKASI.

... Appellant(s)

Vs

- 1 LATHA,
W/O.PALANISAMY, THALAPATTI VILLAGE, KARUR.
- 2 MINOR GOPINATH,
S/O.PALANISAMY, THALAPATTI VILLAGE, KARUR.
- 3 MINOR MANISHAH,
D/O.PALANISAMY, THALAPATTI VILLAGE, KARUR.
(RESPTS 2&3 THROUGH HIS MOTHER/1ST
RESPONDENT)
- 4 MARAYEE AMMAL,
W/O.KANDASAMY, THALAPATTI VILLAGE, KARUR.
- 5 KANDASAMY,
S/O.CHELLAPPA GOUNDER, THALAPATTI VILLAGE,
KARUR.
- 6 S.JAYANTHI,
W/O.SUBRAMANIAN, 9-A, RAJEEV NAGAR,
MELAGRAM, TENKASI. (EX-PARTE IN LOWER COURT)

... Respondent(s)

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicle Act, 1988, preferred against the judgment and decree of the DISTRICT JUDGE, MACT, KARUR, dated 09/06/2010 made in MCOP.611/2008.



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This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.D.BALAMURUGAPANDI, Advocate for the Appeallant and of MR.S.GOKULRAJ, Advocate for R1 and R5 and 6th Respondents having remained exparte before the tribunal, this Court doth order and decree as follows:-

(1) That the award passed by the DISTRICT JUDGE, KARUR, dated 09/06/2010 made in MCOP.611/2008 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

TO

The DISTRICT JUDGE, MACT,
KARUR,

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai - **2 Copies**

+1 CC to M/s.K.A.THIRUMALAIAPPAN, Advocate
(SR-93514 dated 31/10/2018)

+1 CC to M/s.S.GOKULRAJ, Advocate
(SR-93698 dated 01/11/2018)



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ORDER DATED : 31/10/2018

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DECREE

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CMA(MD) . No.1255 of 2011

Nature of Decree:- Dismissing
the Civil Miscellaneous
Appeal preferred against the
judgment and decree of the
DISTRICT JUDGE, KARUR. MACT,
dated 09/06/2010 made in MCOP.
611/2008.

ES/28.02.2019/3P/6C