

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND NINETEEN

PRESENT:
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

C.M.A.1293 of 2005

Branch Manager,
The Oriental Insurance Co Ltd.,
3-L, Sidda Veerappa Chetty Street,
Dharmapuri.

.. Appellant /Petitioner

Vs.

1.Minor Govindasamy rep. by
mother and natural guardian Indira

2.M.Rajalingam

3.Branch Manager,
National Insurance Co. Ltd.,
No.62, T.S.R.Big Street,
Kumbakonam, P.C.No.612 001.

4.P.Thiruvarasan

..Respondents/Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award and Decree dated 29/08/2003 made in MCOP.No.1575 of 2002 on the file of the Motor Accidents Claims Tribunal/ I Additional District Court, Krishnagiri at Dharmapuri.

DECREE:This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.N.Vijaya Raghavan, Advocate for the Appellant and of 1st Respondent none appeared in person or by Advocate and 2nd and 3rd Respondent given up as unnecessary in CMA itself and wherein 4th Respondent having set exparte in lower court itself/and this Court doth order and decree as follows:

i)That the Judgment and decree of the Motor Accidents Claims Tribunal, I Additional District Court, Krishnagiri at Dharmapuri made in MCOP.No.1575 of 2002, dated 29/08/2003 be and hereby are confirmed and the Civil Miscellaneous Appeal do stand dismissed.

2.That the appellant-Insurance Company do deposit 50% of the award amount along with interest and costs, less the amount already deposited, if any, within a period of four weeks from the date of receipt of a copy of this Judgment.

3.That on such deposit being made, the Tribunal shall transfer the same to the bank account of the first respondent/ Claimant through RTGS within a period of one week thereafter.

4.That the appellant /Insurance Company shall recover compensation paid to the claimant in accordance with law.

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

Sd/-
Assistant Registrar(I)

//True Copy//

Sub Assistant Registrar

To:-

1.The Motor Accident Claims Tribunal,
I Additional District Court,
Krishnagiri at Dharmapuri.

2.The Section Officer,
VR Section, High Court,
Chennai.

+1cc to Mr.N.Vijaraghavan, Advocate SR.No.56592

DATED: 04/07/2019

DECREE:

CMA.1293 of 2005

 Dismissing the Civil
Miscellaneous Appeal preferred against
the Judgment and Decree dated 29/08/2003
made in MCOP.No.1575 of 2002 on the file
of the Motor Accidents Claims Tribunal, I
Additional District Court, Krishnagiri at
Dharmapuri, etc., as stated therein.

PP(CO)
GN(14/02/2022)