



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

C.M.A.No.3002 of 2005
and C.M.P.No.15617 of 2005

The New India Assurance Company Ltd.,
Thanjavur, through its Branch Manager
within the jurisdiction of District Munsiff,
Thanjavur Taluk and District. ... Appellant/2nd Respondent

Vs

1.Nagarajan

2.Kalaimani ... Respondents/Petitioner/1st Respondent

Appeal under Section 173 of the Motor Vehicles Act against
the judgment and decree dated 11.01.2005 made in MACTOP No.93 of
2003 on the file of the Motor Accidents Claims Tribunal
(Additional Sub Court), at Nagapattinam.

For Appellant : Mr.R.Neethe Perumal

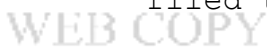
For Respondents : Mr.K.Muralidharan for R1

JUDGMENT

This appeal is preferred by the Insurance Company against
the award of a sum of Rs.31,400/- towards compensation to the
first respondent, for the injuries suffered by him in a motor
vehicle accident.

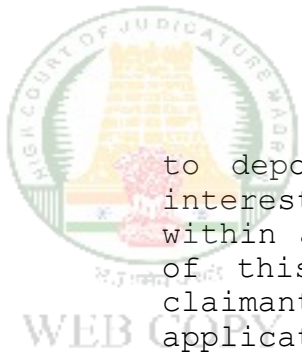
2.The case in brief, is as follows:

On the fateful day, ie. on 05.12.2002 at about 5.30 pm, the
first respondent was walking in the mud road in Vellipalayam. At
that time, a motorcycle bearing Reg.No.TN-51-B-2351 came in a
rash and negligent manner and dashed against him. Due to the
said impact, he sustained grievous injuries. The first
respondent filed a claim petition before the Tribunal. On
consideration of the materials and evidence available on record,



3. Challenging the same, the appellant Insurance Company has filed the present Civil Miscellaneous Appeal.

9. In the result, the Civil Miscellaneous Appeal is dismissed. No costs. Consequently, the connected miscellaneous petition is closed. The appellant Insurance Company is directed



to deposit the award amount as ordered by the Tribunal with interest, after deducting the amount if any already deposited, within a period of six weeks from the date of receipt of a copy of this judgment. On such deposit, the first respondent / claimant is permitted to withdraw the same, on making proper application before the Tribunal.

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

KM / MTL

To

1.The Motor Accidents Claims Tribunal
Additional Subordinate Judge,
Nagapattinam.

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

+1cc to Mr.R.Neethe Perumal, Advocate SR.No.48351

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SPD (CO)
GMY (21/10/2019)