

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.07.2019

CORAM:

THE HON'BLE MR.JUSTICE R.MAHADEVAN

C.M.A.No.3051 of 2006
and
M.P.Nos.1 of 2009 & 2 of 2006

United India Insurance Co.Ltd.,
20 Katchery Road,
Kallakuruchi.

...Appellant/2nd Respondent

Vs

1.Ramu
2.Sabapathy

...Respondents/Petitioner
and First Respondent

Prayer:

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, 1988, against the judgement and decree dated 27.06.2005 passed in M.C.O.P.No.96 of 2005, on the file of Motor Accident Claims Tribunal, Fast Track Court, Kallakuruchi.

For Appellant : Mr.S.Ramalingam

For R1 : Mr.A.G.Rajan
For R2-Mr.S.Nagarajan

J U D G M E N T

This appeal is filed by the Insurance Company challenging the compensation of Rs.2,02,802/- awarded by the Tribunal as against the claim made by the first respondent/claimant to the tune of Rs.4,00,000/- for the injuries sustained by him in a motor vehicle accident that took place on 12.05.2003.

2.Today, When this matter is taken up for hearing, the learned counsel appearing for both sides submitted that the entire compensation awarded by the Tribunal to the tune of Rs.2,02,802/- along with interest has already been deposited by the appellant herein and the same has also been withdrawn by the first respondent/claimant and hence, nothing survives for adjudication in this appeal. The said submission is recorded.

3.Further, on a perusal of the award, this Court is of the view that the Tribunal based on the materials and evidence placed before it, has rightly concluded that the accident had occurred due to the negligence on the part of the driver of the offending vehicle insured with the appellant insurance company and awarded the just compensation of Rs.2,02,802/- and the same need not be interfered with.

4.In fine, affirming the award passed by the Tribunal, this Civil Miscellaneous Appeal stands dismissed. No Costs. Consequently, connected Civil Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gbi / srk

To

1. The Judge,
Motor Accident Claims Tribunal,
Fast Track Court,
Kallakuruchi.

Copy To

The Section Officer,
V.R.Section, High Court,
Madras.

+1cc to Mr.A.G.Rajan, Advocate, S.R.No.57790
+1cc to Mr.S.Nagarajan, Advocate, S.R.No.57985
+1cc to Mr.S.Ramalingam, Advocate, S.R.No.59330

C.M.A.No.3051 of 2006

VGII(CO)
CS/02/06/2020