

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2019

CORAM:

THE HONOURABLE Mr.JUSTICE RMT.TEEKAA RAMAN

C.M.A.Nos.108 to 110 of 2011
and
M.P.Nos.1 to 1 of 2011

The Oriental Insurance Company Limited,
Represented by Branch Manager,
Gopal Rao Library Building,
Town Hall Road,
Kumbakonam Town & Munsif. ... Appellant in all C.M.As/R3

Vs.

- 1.Dhanapakiam ...1st Respondent in CMA 108/11/
Petitioner in MCOP 224/07
 - 2.T.Mangalarajan
 - 3.Murugesan ..2nd & 3rd Respondent in C.M.A.No.108 of 2011/R1 & R2
(3rd respondent exparte before the Lower Court)
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- 1.Rajammal ...1st Respondent/Petitioner in MCOP 235/07
 - 2.T.Mangalarajan
 - 3.Murugesan ..2nd & 3rd Respondent in C.M.A.No.109 of 2011/R1 & R2
(3rd respondent exparte before the Lower Court)
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- 1.Veerammal ...1st Respondent/Petitioner in MCOP 235/07
 - 2.T.Mangalarajan
 - 3.Murugesan ..2nd & 3rd Respondent in C.M.A.No.110 of 2011/R1 & R2
(3rd respondent exparte before the Lower Court)

Prayer in C.M.A.No.108 of 2011: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree in M.C.O.P.No.224 of 2007 dated 05.06.2009 on the file of the Motor Accidents Claims Tribunal, Subordinate Court, Mannarkudi.

Prayer in C.M.A.No.109 of 2011: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree in M.C.O.P.No.225 of 2007 dated 05.06.2009 on the file of the Motor Accidents Claims Tribunal, Subordinate Court, Mannarkudi.

Prayer in C.M.A.No.108 of 2011: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the

Judgment and Decree in M.C.O.P.No.235 of 2007 dated 05.06.2009 on the file of the Motor Accidents Claims Tribunal, Subordinate Court, Mannarkudi.

For Appellant : Mr.N.Vijayaraghavan in all C.M.As

For R3 : Ex-parte before the Tribunal

C O M M O N J U D G M E N T

These Civil Miscellaneous Appeals have been filed against the Judgment and Decree in M.C.O.P.No.224 of 2007, M.C.O.P.No.225 of 2007 and M.C.O.P.No.235 of 2007 dated 05.06.2009 on the file of the Motor Accidents Claims Tribunal, Subordinate Court, Mannarkudi.

2. The 3rd respondent-Insurance Company before the Tribunal are the appellant herein.

3. The learned counsel for the Insurance Company would submit that the award amount is unjust and unreasonable and ratio applied therein is not applicable to the facts and circumstances of the case.

4. After going through the award passed by the Motor Accident Tribunal, Mannargudi, the compensation award of Rs.10,000/- awarded by the Tribunal and after going through the evidence, I find that the amount awarded is just and reasonable and it does not call for any interference at the passage of time. Accordingly, award passed by the Courts below is hereby confirmed. The appeal is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

सत्यमेव जयते
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

nvi

To

1.The Motor Accidents Claims Tribunal, Subordinate Court,
Mannarkudi.

Copy To : The Section Officer, VR Section, High Court, Madras

+3cc to Mr.N.Vijayarghavan, Advocate SR.No.10387

C.M.A.Nos.108 to 110 of 2011 and
M.P.Nos.1 to 1 of 2011

CNR (CO)
GMY (27/04/2019)



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