

IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND NINETEEN

PRESENT:

THE HON'BLE MR. JUSTICE R.MAHADEVAN

C.M.A.Nos.16 of 2009

Royal Sundaram Alliance Insurance Co. Ltd.,
Nos.45 and 46, Sundaram Towers
Whites Road, Chennai 600 014

... Appellant/2nd Respondent

..vs..

1.Dharmalingam
2.Pandithurai

... 1st Respondent/Petitioner
... 2nd Respondent/1st Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award and Decree, dated 31.03.2008, made in M.C.O.P.Nos.14 of 2006 on the file of the Motor Accident Claims Tribunal, Subordinate Court, Ariyalur.

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.Vijayaraghavan, Advocate for the Appellant and Mr.A.A.Venkatesan Advocate for the 1st Respondent, this Court while disposing this Civil Miscellaneous Appeal, doth order and decree as follows:

- 1.that the quantum of compensation passed in MCOP.No.14/06 dated 31/03/2008 on the file of the Motor Accident Claims tribunal, Subordinate Court, Ariyalur, be and hereby in confirmed;
- 2.that the appellant herein/Insurance company be and hereby 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;
- 3.that on such deposit the first respondent/claimant be and hereby is permitted to withdraw the same, on making proper application before the Tribunal.

4.That the direction of the Tribunal granting the liberty of pay and recovery to the Insurance company is set aside.

5.That there be no costs in this appeal.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

To

1.Motor Accident Claims Tribunal,
Sub Judge, Ariyalur.

+1cc to Mr.N.Vijayaraghavan, Advocate, S.R.No.73062
+1cc to Mr.A.A.Venkatesan, Advocate, S.R.No.72421

C.M.A.Nos.16 of 2009
Nature of the JUDGMENT: Disposed
of the Civil Miscellaneous Appeal
in part preferred against the
Judgment and Decree dated
31.03.2008 made in
MCOP.No.14/2006 on the file of
the Motor Accident Claims
tribunal, Subordinate Judge,
Ariyalur and etc., stated
therein.

NR(CO)
CB(16/08/2021)