



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Seventh day of June, Two Thousand and Nineteen
present

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A(MD).No.472 of 2019

Union of India,
rep. by the General Manager,
Southern Railway,
Chennai -3.

... Appellants

Vs.

1.K.Viswanathan

V.Nagalakshmi (died)

2.Devi Priya

3.The Managing Director,
Tamil Nadu State Transport Corporation,
Dindigul Division,
Dindigul.

... Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Judgment and decree of the I Additional District Judge, Motor Accident Claims Tribunal, Madurai, dated 30/11/2016 made in MCOP No.599 of 2008.

DECREE: This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.S.Manohar, Advocate for the Appellant and of Ms.A.Banumathi, Advocate for the respondents 1 and 2, this Court doth order and decree as follows:

1)That the award passed by the I Additional District Judge, Motor Accident Claims Tribunal, Madurai, dated 30/11/2016 made in M.C.O.P No.599 of 2008 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

2)That the Appellant / Insurance Company be and hereby is directed to deposit the entire award amount, less the amount already deposited, with accrued interest at the rate of 7.5% p.a. from the date of petition till the date of realization, excluding the period 05.10.2008 to 19.12.2013, within a period of eight weeks from the

date of receipt of a copy of this judgment;

3) That on such deposit being made, the claimants be and are hereby permitted to withdraw the award amount as apportioned by the Tribunal and

4) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Motor Accident Claims Tribunal,
I-Additional District Judge,
Madurai.

2. The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1 CC to M/s. A. BANUMATHY, Advocate (SR-71684[F] dated 27/06/2019)

+1 CC to M/s. S. MANOHAR, Advocate (SR-72215[F] dated 28/06/2019)

DATED: 27.06.2019

DECREE

C.M.A(MD).No.472 of 2019

NATURE OF THE DECREE:

Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the I Additional District Judge, Madurai MACT, dated 30/11/2016 made in MCOP No.599 of 2008 and etc., as stated within.

KK/SAR/07.08.2019/2P-6C/