



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

Thursday, the Fourteenth day of November Two Thousand and Nineteen
PRESENT

The Hon'ble Mr. Justice KRISHNAN RAMASAMY
CMA(MD). No.1314 of 2009

WEB COPY

MINOR.R.VISHAL PRATHUSH,
REP.BY MOTHER AND NEXT FRIEND S.GEETHA

...Appellant/Petitioner

Vs

1 A.SRINIVASAN

...1st Respondent/Respondent

2 UNITED INDIA INSURANCE CO., LTD.,
SEETHALAKSHMI COMPLEX, TIRUNAGAR, MADURAI,
THROUGH IT BRANCH MANAGER..

...Respondent/2nd Respondent

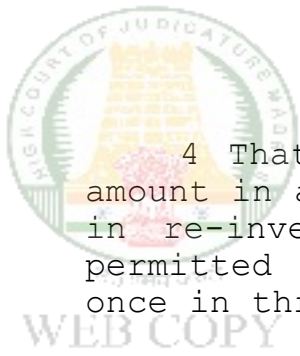
Prayer:-Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree dated 15.04.2008 made in M.C.O.P.No.1546 of 2002 on the file of the Motor Accidents Claims Tribunal / III Additional District and Sessions Judge, (PCR) Madurai.

DECREE:-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.PALANI VELAYUTHAM, Advocate for the Appellant and of Mr.P.JEGANATHAN, Advocate for the respondent, while this Court dismissing the Appeal doth order and decree as follows:-

1 That the judgment and decree dated 15.04.2008 made in M.C.O.P.No.1546 of 2002 on the file of the Motor Accidents Claims Tribunal / III Additional District and Sessions Judge, (PCR) Madurai be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed'

2 That the 2nd respondent/Insurance Company be and hereby is directed to deposit the entire award amount of Rs. 50,000/- (Rupees Fifty Thousand Only) together with interest at 7.5% per annum from the date of petition till the date of deposit and cost to the credit of M.C.O.P.No.1546 of 2012 on the file of the Motor Accidents Claims Tribunal / III Additional District and Sessions Judge, (PCR) Madurai, after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of copy of this order;

3 That the appellant is a minor, if he has not so far, not attain major;



4 That the Tribunal be and hereby is directed to deposit the amount in any one of the Nationalized Banks till he attains majority in re-investment scheme. The mother of the minor claimant is permitted to withdraw the interest accrued from the said deposit once in three months directly from the Bank;

5 That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The MOTOR ACCIDENT CLAIMS TRIBUNAL /
III Additional District and Sessions Judge, (PCR) Madurai.

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai (+2 Copies)

+1CC TO S.PALANIVELAYUTHAM, ADVOCATE, SR No.98556

ORDER DATED : 14/11/2019

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DECREE
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CMA(MD). No.1314 of 2009

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 15.04.2008 made in M.C.O.P.No.1546 of 2002 on the file of the MotorAccidents Claims Tribunal / III Additional District and Sessions Judge, (PCR) Madurai.