



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Twelfth day of November Two Thousand Nineteen

WEB COPY

PRESENT

The Hon'ble Mr. Justice KRISHNAN RAMASAMY

CMA (MD) . No.1716 of 2008

NEW INDIA ASSURANCE CO. LTD.,
SAMIYANNAN KOIL STREET, VIRUDHUNAGAR. ... Appellant/2nd Respondent

Vs

1 NAGOR KANI
S/O.NOOR MOHAMED, MIDDLE STREET,,
AVUDAIYAPURAM, R.R.NAGAR (VIA), VIRUDHUNAGAR,
TALUK. ... 1st respondent/petitioner

2 N.MARIAMMAL
W/O.L.NARAYANASAMY, VENKATACHALAPURAM,,
SATTUR. ... 2nd Respondent/1st respondent

Prayer:-Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree of the Motor Accidents Claims Tribunal/Subordinate Court, Virudhunagar, dated 24/09/2008 made in MCOP NO.80 OF 2006.

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.J.S.MURALI, Advocate for the Appellant and of MR.VENKATESH Advocate for MR.A.SIVAJI Advocate for the respondent No.1 and the appeal having already been dismissed as against the second respondent vide order dated 25.06.2018, this Court doth order and decree as follows:-

(1) That the award and decree passed by the Motor Accidents Claims Tribunal/Subordinate Court, Virudhunagar, dated 24/09/2008 made in MCOP NO.80 OF 2006 be and hereby are 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 with accrued interest and costs, if not already deposited, 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 claimant be and hereby is permitted to withdraw the entire amount with accrued



interest and costs, less the amount already withdrawn, by filing an application before the Tribunal.

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

WEB COPY

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The Subordinate Judge,
Motor Accidents Claims Tribunal,
Virudhunagar

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 cc to Mr.J.S.Murali - Advocate - CASR 97836

+1 cc to Mr.A.SIVAJI - Advocate - CASR 98157

ORDER DATED : 12/11/2019

=====
DECREE
=====

CMA(MD) . No.1716 of 2008

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accidents Claims Tribunal/Subordinate Court, Virudhunagar, dated 24/09/2008 made in MCOP NO.80 OF 2006 etc., as stated within.