



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Monday, the Thirtieth day of September Two Thousand and Nineteen
PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

C.M.A.(MD). Nos.68 and 80 of 2006

- 1.Parvathy, W/o.Late Palavesam
2.Minor Kalaiselvi, D/o.Late Palavesam
3.Minor Mariyappan, S/o.Late Palavesam
4.Minor Muppidthi, D/o.Late Palavesam
5.Minor Ushadevi, D/o.Late Palavesam
6.Arunachalam Pandaram, S/o.Palavesa Pandaram
7.Subbammal, W/o.Arunachalam Pandaram
(Minors are rep. by their
mother / 1st appellant)

All at North Street, Keela Thenkalam &P.O

Via Sankar Nagar,,

Tirunelveli Taluk

Appellants/Claimants in CMA(MD)No.68/2006 and
Respondents 1 to 7 in CMA(MD)No.80/2006

Vs

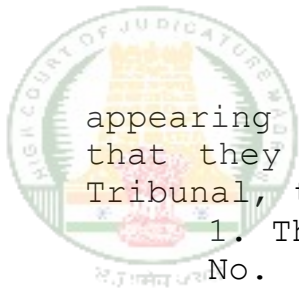
- 1 M/S.Syed Shariat Finance Ltd.,
Tirunelveli-627 001,
Through its Managing Director,
Office at 28, Middle Street,,
Sindhu Poonthurai,
Tirunelveli-1. 1st Respondent in CMA(MD)No.68/2006
Appellant in CMA(MD)No.80/2006
- 2 Victor Raj, S/O.Maria Joseph,
2/79, West Street,
Nanjankulam. 2nd Respondent in CMA(MD)No.68/2006 and
8th Respondent in CMA(MD)No.80/2006
- 3 V.A.M.Abdul Rafiudeen
S/o.Ahamed Meeran,
44, Mohaideen Street,
Alwarthirunagari 3rd Respondent in CMA(MD)No.68/2006 and
9th Respondent in CMA(MD)No.80/2006

Common Prayer:

These Civil Miscellaneous Appeals filed under Section 173 of Motor Vehicles Act 1988, against the award dated 22.03.2005 made in M.C.O.P. No. 1103 of 2001 on the file of the Motor Accident Claims Tribunal/ Principal District Judge, Tirunelveli.

DECREE:-

These Civil Miscellaneous Appeals coming up for hearing on this day; upon perusing the grounds of Appeals, the award and decree of the Tribunal and the material papers to this case and upon hearing the arguments of MR. C. Sankar Prakash, Advocate for the Appellants in CMA(MD)No.68/2006 and Respondents 1 to 7 in CMA(MD)No.80/2006 and of Mr. R. Vijayakumar, Advocate for 1st respondent in CMA(MD)No.68/2006 and Respondents 1 to 7 in CMA(MD)No.80/2006; and the counsel



appearing for the appellant / Finance Company having represented that they have already deposited a sum of Rs.84,197/- before the Tribunal, this Court doth order and decree as follows:-

1. That the award and decree dated 22.03.2005 made in M.C.O.P. No. 1103 of 2001 on the file of the Motor Accident Claims Tribunal/ Principal District Judge, Tirunelveli be and hereby are confirmed and these Civil Miscellaneous Appeals do stand dismissed;
2. That the appellant / Finance Company do deposit the balance amount along with interest at the rate of 9% per annum from the date of petition til the date of deposit, within a period of eight weeks from the date of receipt of a copy of this order;
3. That on such deposit being made, the Tribunal do transfer the respective shares of the claimants (as per the apportionment made in M.C.O.P. No. 1103 of 2001) directly to their Bank Account through RTGS, within a period of three weeks thereafter, after filing appropriate application before the Tribunal and also the age proof for attaining majority in respect of the minor claimants; and
4. That there be no costs in these Civil Miscellaneous Appeals.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The Principal District Judge,
Motor Accident Claims Tribunal, Tirunelveli.

Copy to: The Section Officer, (2 COPIES)

V.R. Section, Madurai Bench of Madras High Court, Madurai

+ 1CC to Mr.R. Vijayakumar, Advocate in Sr. No.90626

+ 1CC to Mr.K. Rajeshwaran, Advocate in Sr. No.90850

ORDER DATED 30.09.2019

DECREE

C.M.A (MD) Nos.68 and 80 of 2006
Dismissing the Civil Miscellaneous Appeals preferred against the award dated 22.03.2005 made in M.C.O.P. No. 1103 of 2001 on the file of the Motor Accident Claims Tribunal/ Principal District Judge, Tirunelveli. etc., as stated within.

SMA/11/02/2020/2P/6C