



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

Tuesday, the Twenty Fourth day of September Two Thousand and Nineteen
PRESENT

The Hon'ble Mr. Justice KRISHNAN RAMASAMY

CMA(MD). No.464 of 2009

SHANMUGAM

... Appellant/Petitioner

Vs

1 P.S.R.JOSEPH

2 UNITED INDIA INSURANCE COMPANY LIMITED,
DIVISIONAL OFFICE, 74-A,
SALAI ROAD, TRICHY.

... Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, against the judgment and decree dated 13.09.2007 made in M.C.O.P.No.986 of 2004 on the file of the Motor Accident Claims Tribunal - Chief Judicial Magistrate, Trichy.

Decree:

Civil Miscellaneous Appeal is coming upon for hearing on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this Appeal and upon hearing the arguments of Mr. R.Jeyaraj, Advocate for the Appellant and of Mr. A.S.Mathiyalagan, Advocate for the 2nd Respondent and this Court while Allowing the appeal and set aside the Tribunal below, doth order and decree as follows:

1 That, the judgment and decree dated 13.09.2007 made in M.C.O.P.No.986 of 2004 on the file of the Motor Accident Claims Tribunal - Chief Judicial Magistrate, Trichy be and hereby is set aside and Civil Miscellaneous Appeal is allowed;

2 That, the Second Respondent herein / Insurance company be and hereby is petmitted to pay the compensation of Rs.25,000/- the claimant and thereafter, recover the same from the owner of the vehicle;

3 That, the Second Respondent herein / Insurance company be and hereby is directed to deposit the award amount within a period of Six weeks from the date of receipt of a copy of this judgment.

4 That, On such deposit being made, the Tribunal shall transfer the said amount to the claimant's account by way of RTGS;



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

Sd/-

Assistant Registrar (CS-II)

WEB COPY

// True Copy //

Sub Assistant Registrar(CS)

To

The Motor Accident Claims Tribunal
- Chief Judicial Magistrate, Trichy

Copy to:

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

+1 CC to Mr.A.S.MATHIALAGAN, Advocate SR-88803

+1 CC to Mr.B.PRASANNA VINOTH, Advocate SR-89069

ORDER DATED : 24/09/2019

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DECREE

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CMA(MD). No.464 of 2009

Nature of Decree : Allowing the Civil Miscellaneous Appeal against judgment and decree dated 13.09.2007 made in M.C.O.P.No.986 of 2004 on the file of the Motor Accident Claims Tribunal - Chief Judicial Magistrate, Trichy etc., as stated within.

MK (14.11.2019) 2P 6C