



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Twenty Fourth day of October Two Thousand and Nineteen

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

C.M.A.(MD) . No.656 of 2011

The New India Assurance Co. Ltd.,
West Boulevard Road,
Trichy - 8.

...Appellant / 2nd respondent

- Vs. -

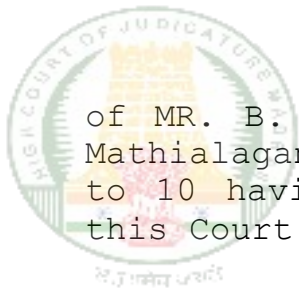
1. R. Amutha
2. Minor R. Piraimathi,
3. Minor. Piraideepa
4. Minor Kalaivani
5. Minor Bhavatharini
6. Minor R. Kalidasan
(Minor Respondents 2 to 6 represented
by their and natural Guardian/1st Respondent)
7. N. Kannan
8. K. Chandra ... 1 to 8 Respondents / Petitioners
9. N.Devadoss ... 9th Respondent / 1st Respondent
10. M.Senthilkumar ... 10th Respondent / 3rd Respondent
11. The National Insurance Co. Ltd.,
Fort Station Road,
Trichy - 2. ... 11th Respondent / 4th Respondent

Prayer in CMA(MD) . 656/ 2011 :

This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988, against the common judgment and Decree dated 04.08.2008 made in M.C.O.P. No. 379 of 2004 on the file of the Motor Accident Claims Tribunal/ III Additional Subordinate Court, Tiruchirappalli.

DECREE:-

This Civil Miscellaneous Appeal coming upon for hearing on this day; upon perusing the grounds of Appeals, the award of the Tribunal and the documents and papers to this case and upon hearing the arguments



of MR. B. Vijay Karthikeyan, Advocate for the Appellant, Mr. A.S. Mathialagan, Advocate for 11th respondent and the Respondents 1 & 7 to 10 having not appeared either in person or through a counsel; this Court doth order and decree as follows:-

1. That the award passed in M.C.O.P. No. 379 of 2004 dated 04.08.2008 on the file of the Motor Accident Claims Tribunal/ III Additional Subordinate Court, Tiruchirappalli be and hereby is confirmed and the Civil Miscellaneous Appeal is do stand dismissed;

2. That the appellant herein / Insurance Company be and hereby is directed to deposit the entire award amount along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit, within a period of eight weeks from the date of receipt of a copy of this judgment;

3. That On such deposit being made, that the Tribunal shall transfer the respective shares of the claimants (as per the apportionment made in M.C.O.P. No. 379 of 2004 on the file of the Motor Accident Claims Tribunal/ III Additional Subordinate Court, Tiruchirappalli) directly to their Bank Account through RTGS, within a period of three weeks thereafter;

4. That the minors shares shall be deposited in fixed deposit in any one of the Nationalized Bank for a period of three years, till they attain majority;

5. That the guardian of the minors / first respondent herein / mother of the minors be and hereby is permitted to withdraw the accrued interest thereon once in three months; and

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

Sd/-

Assistant Registrar (CS-II)

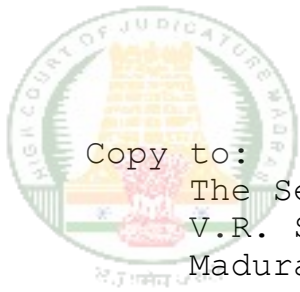
// True Copy //

/ /2020

Sub Assistant Registrar (CS)

TO

The III Additional Subordinate Judge,
Motor Accident Claims Tribunal,
Tiruchirappalli.



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

+ 1CC to Mr.B. Vijay Karthikeyan, Advocate in Sr. No.94715.
+ 1CC to Mr.A.S. Mathialagan, Advocate in Sr. No.94478.
+ 1CC to Mr.K. Appadurai, Advocate in Sr. No.94782.

ORDER DATED 24.10.2019

DECREE

C.M.A (MD) No.656 of 2011

Dismissing the Civil Miscellaneous Appeal preferred against the judgment and Decree dated 04.08.2008 made in M.C.O.P. No. 379 of 2004 on the file of the Motor Accident Claims Tribunal/ III Additional Subordinate Court, Tiruchirappalli etc., as stated within.

pk (CO)
TR (22.01.2020) 3P 7C