



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Eighth day of November Two Thousand and Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMA(MD) . No.685 of 2011

THE BRANCH MANAGER,
NEW INDIA ASSURANCE COMPANY LTD.,
OPPOSITE TO ANNA STADIUM,
NAGERCOIL.

Appellant / 4th respondent

Vs

1 MINOR JOHN BENIN 1st respondent/ Petitioner
(1st Respondent rep. by her father
and natural guardian Kaspar Raj)

2 P.R.S.SRINIVASAN

3 THE UNITED INDIA INSURANCE COMPANY LTD.,
REP BY ITS BRANCH MANAGER,
PWD OFFICE ROAD, VADIVEESWARAM VILLAGE,,
AGASTHEESWARAM TK, KANIYAKUMARI DIST,..

4 A.DOMINIC SEVIYO

Respondents 2 to 4 / Respondents 1 to 3

Prayer:

This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988, against the award dated 01.10.2010 made in M.C.O.P. No. 121 of 2006 on the file of the Motor Accident Claims Tribunal / Principal Subordinate Judge, Nagercoil.

DECREE:-

This Civil Miscellaneous Appeal coming upon for hearing on this day; upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to this case and upon hearing the arguments of Mr. B. Vijay Karthikeyan, Advocate for the Appellant and Mr. N. Sudhagar Nagaraj, Advocate for the 1st respondent, Mr. B. Rajesh Saravanan, Advocate for the 3rd respondent and the 2 and 4 respondents having not appeared either in person or through a

<https://hcservices.courts.gov.in/hcservices/> Court doth order and decree as follows:-



1. That the award dated 01.10.2010 made in M.C.O.P. No. 121 of 2006 on the file of the Motor Accident Claims Tribunal / Principal Subordinate Judge, Nagercoil be and hereby is confirmed and the Civil Miscellaneous Appeal do stand dismissed, confirming the liability fixed by the Tribunal as 50:50; and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

TO

The Principal Subordinate Judge,
Motor Accident Claims Tribunal,
Nagercoil.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+ 1CC to Mr. N. Sudhagar Nagaraj, Advocate in Sr. No.97651.

ORDER DATED 08.11.2019

DECREE

C.M.A (MD) No.685 of 2011

Dismissing the Appeal preferred against the award dated 01.10.2010 made in M.C.O.P. No. 121 of 2006 on the file of the Motor Accident Claims Tribunal / Principal Subordinate Court, Nagercoil etc., as stated within.

pk (CO)

TR (13.02.2020) 2P 5C