



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

Friday, the First day of November Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY
CMA(MD). No.473 of 2019

WEB COPY

M/S. NATIONAL INSURANCE COMPANY LIMITED
REPRESENTED THRO ITS GENERAL MANAGER
FIRST FLOOR D.NO.1631-1/B ,
SALIBHAVANI MAIN ROAD,
SANGAKIRI, SALEM DISTRICT.

... Appellant / Respondent No.2

Vs

1 M.INDUMATHI, W/O. MANIKANDAN,
DOOR NO.13, NARIPARAI,
OPPOSITE TO ANGUUILAS,,
DINDIGUL TOWN, DINDIGUL DISTRICT..

2 MINOR.M.YOGITHA, D/O.MANIKANDAN,
DOOR NO.13, NARIPARAI,
OPPOSITE TO ANGUUILAS,
DINDIGUL TOWN, DINDIGUL DISTRICT.,
(MINOR IS REP BY HER MOTHER AND NATURAL
GUARDIAN M.INDUMATHI)

3 A.NAGAMMAL,
W/O. LATE ALAGARSAMY NAIDU,
DOOR NO.13, NARIPARAI,
OPPOSITE TO ANGUUILAS,
DINDIGUL TOWN,
DINDIGUL DISTRICT

... Respondents / Petitioners

4 T.SIVAKUMAR, S/O. THANGAVEL,
DOOR NO.20/11, PUTHUKADU 4TH STREET,
TIRUPUR, COIMBATORE DISTRICT.

... Respondent / 1st Respondent

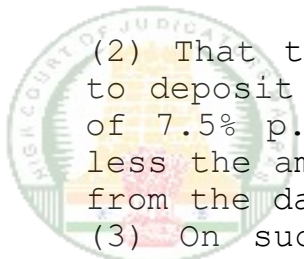
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of
Motor Vehicles Act, 1988 preferred against the award made in
M.C.O.P. No.1039 of 2012 dated 16.02.2018 on the file of the Motor
Accident Claims Tribunal-cum-Additional District Judge, Dindigul.

DECREE:-

This Civil Miscellaneous Appeal having come up for 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.RAJAMANI, Advocate for the Appellant, this Court
doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal-cum-
Additional District Judge, Dindigul in M.C.O.P. No.1039 of 2012
dated 16.02.2018 be and hereby is confirmed and the Civil
Miscellaneous Appeal is dismissed.



(2) That the Appellant/Insurance Company be and hereby is directed to deposit the entire amount along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit, less the amount already deposited, if any, within a period six weeks from the date of receipt of a copy of this judgement.

(3) On such deposit being made, the Tribunal shall transfer the major claimants share amount as per the apportionment made in M.C.O.P. No.1039 of 2012 to their Bank Account directly through RTGS, within a period of three weeks thereafter.

(4) That the share of the minor claimant/2nd respondent shall be deposited in any one of the Nationalised Banks till she attains majority in a Fixed Deposit re-investment scheme and the interest accrued thereon shall be payable to her mother, viz., 1st claimant / 1st respondent once in Six months by the Bank directly under intimation to the Tribunal.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

THE ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, DINDIGUL.

Copy to:

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

+1 CC to M/s.R.RAJAMANI, Advocate (SR-95434 dated 01/11/2019)

ORDER DATED : 01/11/2019

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DECREE

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CMA(MD). No.473 of 2019

Nature of Decree:-

Dismissing the Civil
Miscellaneous Appeal
preferred against the award
of the Motor Accident Claims
Tribunal-cum-Additional
District Judge, Dindigul in
MCOP No.1039 of 2012 and etc
stated therein.

SMA/21/01/2020/2P/5C