



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the First day of October Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMA(MD) . No.1217 of 2014

WEB COPY

NATIONAL INSURANCE CO.LTD.,,
THRO ITS DIVISIONAL MANAGER ANGUVILAS ,
BUILDING NORTH CAR ST. NAGERCOIL ,
AGASTHESWARAM TK K.K.DIT..

... Appellant / 3rd respondent

Vs

1. PANDIYAN, S/O.AYYANKAN,

2. GANDHIMATHI, W/O.PANDIYAN,

3. VALARMATHI, W/O.LINGAM,

4 MINOR.PUVANESHWAR

S/O.LINGAM, NORTH STREET, VANDIKUDYERUPPU,,

PARAKKAI PO, MADUSOOTHANAPURAM VILLAGE,

AGASTHESWARAM TK, K.K.DIT. REP BY HIS M & G,,

R3). ... 1ST TO 4TH RESPONDENTS / PETITIONERS/

CLAIMANTS

5. SURESH, S /O.RAJARETHINAM,

PUTHOOR, POZHICKARAI PO, DHARMAPURAM VILLAGE,

AGASTHESWARAM TALUK, K.K.DITRICT.

6. PADMA, W/O.JEYACHANDRAN, .

7. SUGANTHA D/O.JEYACHANDRAN,

8. SUMAN S/O.JEYACHANDRAN,

9. SUBASH S/O.JEYACHANDRAN,

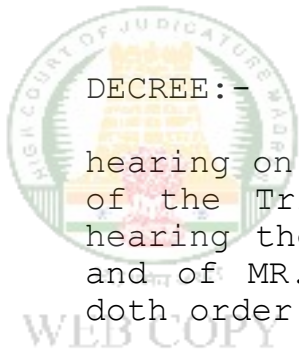
R6 TO R9 RESIDING AT 50/28, MANGAVILAI, PILAVILAI, DHARMAPURAM

VILLAGE, AGASTHESWARAM TALUK, KANYAKUMARI DISTRICT.

... 6TH TO 9TH RESPONDENT/RESPONDENT 4 TO 7

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award of the Motor Accident Claims Tribunal-cum-Chief Judicial Magistrate, Kanniyakumari District at Nagercoil, dated 22.04.2014 made in MCOP No.81 of 2013.



DECREE:-

This Civil Miscellaneous Appeal having come up for final 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.J.S.MURALI, Advocate for the Appellant and of MR.T.SELVAKUMARAN, Advocate for the respondent, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal-cum-Chief Judicial Magistrate, Kanniyakumari District at Nagercoil in MCOP No.81 of 2013 dated 22.04.2014 be and hereby are confirmed and the Civil Miscellaneous Appeal is disposed off.

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the compensation along with interest and cost to the credit of MCOP No.81 of 2013, on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Nagercoil, within a period six weeks from the date of receipt of a copy of this order, after deducting the amount already deposited if any.

(3) That on such deposit being made, the respondents 1 to 3 / major claimants 1 to 3 are entitled to withdraw their respective shares as apportioned by the Tribunal.

(4) That the Tribunal be and hereby is directed to transfer the share of the respondent 1 to 3/Major Claimants 1 to 3 in their respective account numbers by way of RTGS, within a period of three weeks thereafter.

(5) That the share of the fourth respondent minor shall be deposited if any one of the Nationalised Banks till he attains majority.

(6) That the third respondent, who is the mother of the minor 4th respondent / 4th claimant is permitted to withdraw the interest once in three months directly from the Bank.

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL.
KANNIYAKUMARI DISTRICT AT NAGERCOIL.

WEB COPY

Copy to:

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

+1 CC TO MR.J.S.MURALI, ADVOCATE IN SR.90931

+1 CC TO MR.T.SELVAKUMARAN, ADVOCATE IN SR.90975

ORDER DATED : 01/10/2019

=====

DECREE

=====

CMA(MD) . No.1217 of 2014

Nature of Decree:-
Dismissing the Civil
Miscellaneous Appeal
preferred against the award
of the Motor Accidents
Claims Tribunal, Chief
Judicial Magistrate,
Kanniyakumari at Nagercoil
in MCOP No.81 of 2013 dated
22.04.2014 and etc., as
stated therein.

KMK(CO)
TR(08.01.2020) 3P 6C