



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

Thursday, the Thirty First day of October, Two Thousand and Nineteen
PRESENT

The Honourable Mr. Justice KRISHNAN RAMASAMY

CMA(MD) . No.1027 of 2018
And
CMA(MD) No.896 of 2018

P.CHELLAPANDI ... Appellant in CMA(MD) No.1027 of 2018/
1st Respondent in CMA(MD) No.896 of 2018

Vs

1. CHANDRAN ... 1st Respondent in CMA(MD) No.1027 of 2018/
2nd Respondent in CMA(MD) No.896 of 2018

2. THE BRANCH MANAGER,
THE NEW INDIA ASSURANCE COMPANY LIMITED,
NO.674, PERIYAKULAM ROAD,
THENI POST AND DISTRICT- 626 531.
... 2nd & 4th Respondents in CMA(MD) No.1027 of 2018/
Appellants in CMA(MD) No.896 of 2018

3. GANESAN ... 3rd Respondent in CMA(MD) No.1026 of 2018/
3rd Respondent in CMA(MD) No.896 of 2018

Prayer in CMA(MD) Nos.1027 & 896 of 2018:- These Civil Miscellaneous Appeals filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accidents Claims Tribunal/Additional District Court, Dindigul dated 31.07.2015 made in M.C.O.P. No.1121 of 2012.

DECREE:-These Civil Miscellaneous Appeals having come up for final hearing on this day, upon perusing the grounds of Appeals, the order of the Tribunal and the material papers to the Appeals and upon hearing the arguments of MR.R.THANGAPANDIAN, Advocate for the Appellant in CMA(MD) No.1027 of 2018/1st Respondent in CMA(MD) No.896 of 2018 and of MR.R.SURESHKUMAR, Advocate for Respondents Nos.2 and 4 in CMA(MD) No.1027 of 2018/Appellants in CMA(MD) No.896 of 2018, and the 1st Respondent in CMA(MD) No.1027 of 2018/2nd Respondent in CMA(MD) No.896/2018 and the 3rd Respondent in both Appeal not appearing either in person or through Advocate, this Court doth order and decree as follows:-

(1) That the Award passed by the Motor Accidents Claims Tribunal/Additional District Judge, Dindigul dated 31.07.2015 made

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in M.C.O.P. No.1121 of 2012 be and hereby is confirmed and the Civil Miscellaneous Appeals are dismissed;

(2) That the Appellants in CMA(MD) No.896 of 2018/Insurance Company be and hereby is directed to deposit the entire Award amount with accrued interest and costs to the credit of the Claim Petition, within a period of four weeks from the date of receipt of copy of this order, if not deposited already;

(3) That on such deposit being made, the Tribunal be and hereby is directed to transfer the said amount directly to the Personal Savings Account Number of the Claimant by way of RTGS/NEFT system after getting their Account Details, within a period of three weeks thereafter;

(4) And that there be no costs in these Civil Miscellaneous Appeals.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The Additional District Judge,
The Motor Accidents Claims Tribunal/
The Additional District Court,
Dindigul.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.R.THANGAPANDIAN, Advocate (SR-95271 dated 31/10/2019)

+1 CC to M/s R.Sureshkumar, Advocate (SR-95183 dt. 31.10.2019)

dk

ORDER DATED : 31/10/2019

DECREE

**CMA(MD). Nos.1027 of 2018
& 896 of 2018**

Nature of Decree:- Dismissing the Civil Miscellaneous Appeals preferred against the judgment and decree dated 31.07.2015 made in MCOP. No.1121 of 2012 on the file of MACT/Addl. District Court, Dindigul and giving directions etc as stated therein.

MK (13.02.2020) 2P 6C

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