

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE THIRTEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY

PRESENT:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.M.A.NO.1495 OF 2013

M/s.Oriental Insurance Co. Ltd.,
No.A-18, 2nd Avenue, Anna Nagar,
East Canara Bank, Chennai - 102.

...Appellant/2nd Respondent

Versus

1. Suba

2. Hariharan (Minor)
Rep. by her mother Suba

3. Rajalakshmi

... Respondents 1 to 3 / Claimants 1 to 3

4. A.Gandhimathy

... 4th Respondent / 1st Respondent

5. K.Saravanan

... 5th Respondent / 3rd Respondent

6. Royal Sundaram Alliance Ins. Co. Ltd.,
Sundaram Towers,
No.46, Whites Road,
Royapettah, Chennai - 14.

... 6th Respondent / 4th Respondent

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and decree dated 18.04.2011 in M.C.O.P.No.139 of 2008 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Villupuram.

Decree: This Appeal coming on for hearing on this day upon perusing the Grounds of Appeal, the award of the Lower Court below and the material papers in this case and upon hearing the arguments of Mr.N.Vijayaraghavan, Advocate for the Appellant and of Mr.M.Nandhakumar, Advocate for the Respondents 1 to 3 and of Mr.M.Krishnamoorthy, Advocate for the 6th Respondent wherein 4th and 5th respondents having remained set exparte in lower court itself and this Court, doth order and decree as follows:-

i) that the award of compensation passed by the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Villupuram dated 18.04.2011 made in M.C.O.P.No.139 of 2008 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed;

ii) that the Appellant herein / Insurance Company be and hereby is directed to deposit the entire award amount as held by the tribunal if not deposited already within six weeks from the date of receipt of a copy of this order.

iii) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

To

The Motor Accident Claims Tribunal,
The Chief Judicial Magistrate Court,
Villupuram.

Copy To

The Section Officer,
VR Section,
High Court, Madras.

+1cc to Mr.M.Krishnamoorthy, Advocate, S.R.No.2350 (27/01/2022)

DATED : 13/01/2020

DECREE :

C.M.A.No.1495 of 2013

 Dismissing the Civil
Miscellaneous Appeal preferred
against the Judgment and Decree
dated 18.04.2011 made in M.C.O.P.
No.139 of 2008 on the file of the
Motor Accident Claims Tribunal,
Chief Judicial Magistrate Court,
Villupuram etc as stated within.

VBA(CO)
RLP(09/09/2021)