

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY, THE EIGHTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.M.A.No.1111 of 2016

M/s.Transport Corporation of India Limited,  
Transport House, 1<sup>st</sup> Floor, 2<sup>nd</sup> Cross,  
Kalasipalayam, New Extension,  
Bangalore. ....Appellant /1<sup>st</sup> Respondent

Vs

1.Sivalingam ...Ist Respondent/Petitioner

2.The Branch Manager,  
The United India Insurance Company Ltd.,  
Kamla Nagar, Delhi 110 007.  
...2<sup>nd</sup> Respondent/2<sup>nd</sup> Respondent

Prayer :Civil Miscellaneous Petition filed under Section 173 of Motor Vehicles Act, 1988, to set aside the Judgment and Decree dated 30/03/2015 passed in MCOP No.135 of 2013 on the file of the Motor Accidents Claims Tribunal, Sub Court Hosur.

DECREE:This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the Petition of Appeal, the order of the Lower Court and material papers and upon hearing the arguments of Mr.J.R.K.Bhavanantham, Advocate for the Appellant and of Mr.K.Prasanna for M/s.Mukund R.Pandian, Advocate for the first Respondent and of no appearance for the 2<sup>nd</sup> Respondent either in person or by an Advocate while partly allowing this Appeal doth order and decree as follows;

i)that the award of the Judgment and decree dated 30/03/2015 made in MCOP No.135/2013 on the file of the Motor Accident Claims Tribunal, Sub Court, Hosur is confirmed;

ii)that the Insurance Company be and hereby is entitled to recover the same from the appellant/Insured;

iii)that there be no order as to costs in this Civil Miscellaneous appeal;

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Vri  
To

The Subordinate Judge,  
Motor Accidents Claims Tribunal,  
Hosur.

Copy to

The Section Officer,  
VR Section, High Court, Madras-104.

+1cc to Mr.Mukund R.Pandian, Advocate Sr.39868

Dated:08/12/2020

DECREE

CMA No.1111 of 2016

Partly allowing this Civil Miscellaneous Appeal against the Judgment and decree dated 30/03/2015 made in MCOP No.135/2013 on the file of the Motor Accident Claims Tribunal, Sub Court Hosur and etc., as stated within.

gmr[co]  
srg 12/08/2021