



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2020

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.3525 of 2011

and

M.P.No.1 of 2011

(Through Video Conferencing)

National Insurance Company Limited,
Represented by its Branch Manager,
Karur.

...Appellant/3rd Respondent

Vs.

1.A.Sagunthala

2.Selvi

3.Raja

... Respondents 1 to 3 /Claimants

4.Maheshkumar

5.R.Rajamani

... Respondents 4 & 5 / Respondents 1 & 2

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the Judgment and Decree passed in M.A.C.T.O.P.No.1380 of 2007 dated 27.12.2010 on the file of the Motor Accidents Claims Tribunal, Additional District Judge, Fast Track Court No.4, Coimbatore at Tiruppur.

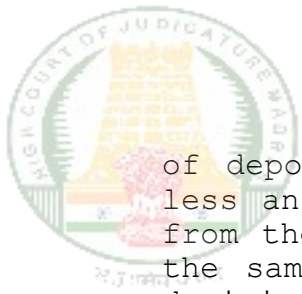
For Appellant : M/s.N.B.Surekha

For 1st to 3rd Respondents : Mr.Ma.P.Thangavel

J U D G M E N T

Insurance Company is the appellant in this Civil Miscellaneous Appeal. It is aggrieved by the impugned Judgment and Decree dated 27.12.2010 passed by the Motor Accident Claims Tribunal / Fast Track Court No.4 (Additional District Court) at Tiruppur in M.C.O.P.No.1380 of 2007.

2. By the impugned Judgment and Decree, the Tribunal has awarded a sum of Rs.3,87,000/- as compensation to the 1st to 3rd



of deposit and proportionate costs as was awarded by Tribunal, less any amount already deposited, within a period of six weeks from the date of receipt of a copy of this Judgment and recover the same from 5th respondent in accordance with law as per the decision of the Hon'ble Supreme Court in Oriental Insurance Co. Ltd. Vs. Nanjappan and Others, (2004) 13 SCC 224.

9. On such deposit, the 1st to 3rd respondents are permitted to withdraw the same in the same proportion awarded by the Tribunal together with interest thereon and proportionate costs, less any amount already withdrawn, by filing suitable applications before the Tribunal.

10. Accordingly, this Civil Miscellaneous Appeal is disposed of. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jen

To
Additional District Judge,
Fast Track Court No.4,
Motor Accidents Claims Tribunal,
Tiruppur, Coimbatore.

Copy to:
The Section Officer,
VR Section,
High Court,
Madras - 104

+1CC to M/s.Ma.P.Thangavel, Advocate, Sr.No.43109
+1CC to M/s.N.B.Surekha, Advocate, Sr.No.42784

C.M.A.No.3525 of 2011
and M.P.No.1 of 2011

SV (CO)
K.RK. (31.08.2021)