

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE NINETEENTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE MS. JUSTICE V.M.VELUMANI

CMA NO.2443 OF 2013

M/s. The Oriental Insurance Co. Ltd.,  
Branch Office, No.90A, Thuraiyur Salai,  
Namakkal. ... Appellant/2<sup>nd</sup> Respondent

Vs.

1.Srinivasan ... 1<sup>st</sup> Respondent/Petitioner  
2.R. Rangaraju ... 2<sup>nd</sup> Respondent/Respondent

Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree of the Motor Accident Claims Tribunal, Subordinate Judge,, Namakkal, made in MCOP No.422 of 2003, dated 06.08.2012.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the Judgment and Decree of the Lower Court, and the records in the case and upon hearing the arguments of Mr.M.Krishnamoorthy, Advocate for the Appellant and of Mr.C.Thangaraju, Advocate for the 1<sup>st</sup> respondent, 2<sup>nd</sup> respondent not appeared either in person or by an Advocate and 2<sup>nd</sup> Respondent having remained exparte before the Tribunal and this Court while dismissing this Civil Miscellaneous Appeal, doth Order and Decree as follows:

i)that the Order and Decree of the Motor Accident Claims Tribunal, Subordinate Judge,, Namakkal, made in MCOP No.422 of 2003, dated 06.08.2012, be and hereby is confirmed ; and this Civil Miscellaneous Appeal do stand dismissed;

ii)that the Appellant / Insurance Company, be and hereby is directed to deposit the enhanced award amount along with interest and costs, within a period of six weeks from the date of receipt of copy of this Order, to the credit of M.C.O.P.No.422 of 2003.

Iii)that on such deposit being made, the 1<sup>st</sup> respondent is permitted to withdraw the award amount along with interest and costs, after adjusting the amount, if any already withdrawn, by filing proper application before the Tribunal.

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

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

The Motor Accident Claims Tribunal,  
Subordinate Judge,  
Namakkal.

Copy to

The Section Officer,  
V.R.Section,  
High Court, Madras.

DATED:19.11.2020

D E C R E E

CMA No. 2443 of 2013

Dismissing this Civil Miscellaneous Appeal preferred against the Judgment and Decree of the Motor Accident Claims Tribunal, Subordinate Judge,, Namakkal, made in MCOP No.422 of 2003, dated 06.08.2012. etc., as stated within  
- No Costs

cnr[co]

srg 17/08/2021