

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY

PRESENT:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.3067 of 2012

Iffco Tokio General Insurance Co. Ltd.,
Sahas Embassy,
No.145/131, Ground Floor,
Nelson Manickam Road,
Metha Nagar, Chennai.

... Appellant /2nd Respondent
vs.

1.S.Elumalai

... 1st Respondent / Petitioner

2.R.Sundar

... 2nd Respondent /1st Respondent

Prayer: This Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act, 1988 against the award and decree dated 23.12.2011 made in MCOP.No.365 of 2009 on the file of the Motor Accident Claims Tribunal,Subordinate Court, Ponneri.

Decree:This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the award of the Tribunal below and the material papers in the case and upon hearing the arguments of Mr.Rajadurai for Mr.M.B.Gopalan,Advocate for the Appellant and wherein R1 having set exparte in Lower Court itself and this Court doth order and decree as follows:

i)that the compensation award and decree dated 23.12.2011 made in MCOP.No.365 of 2009 on the file of the Motor Accident Claims Tribunal,Subordinate Court, Ponneri be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed;

ii)that the Appellant herein/Insurance company be and hereby is directed to deposit the award amount together with interest less the amount already deposited, if any within a period of four weeks from the date of receipt of a copy of this judgment to the credit of MCOP.No.365/2009.

iii)that on such deposit being made, the first respondent herein shall be permitted to withdraw the award amount along with accrued interest and costs,less the amount if any,already withdrawn;

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

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The Motor Accident Claims Tribunal,
Subordinate Court, Ponneri.

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

Dated:15.07.2020
DECREE
C.M.A.No.3067 of 2012

Dismissing the Civil
Miscellaneous Appeal preferred
against the Judgment and decree
dated 23.12.2011 made in
MCOP.No.365 of 2009 on the file
of the Motor Accident Claims
Tribunal,Subordinate Court,
Ponneri etc as stated within.

BP (CO)
A.SK(06.08.2021)