



IN THE HIGH COURT OF JUDICATURE AT MADRAS
TUESDAY THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY

WEB COPY

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.732 of 2013

The New India Assurance Company Limited,
Villupuram.

.. Appellant/4th Respondent

Vs.

1.Sakthivel

..1st Respondent/ Petitioner

2.P.Dhakshina Moorthy

..2nd Respondent/1st Respondent

3.The United India Insurance Company Limited,
Villupuram.

..3rd Respondent/2nd Respondent

4.K.Anbarasan

..4th Respondent/3rd Respondent

(R4 remained exparte before Tribunal.
Hence, notice to R4 dispensed with)

Prayer: Civil Miscellaneous Appeal against the award of the
Motor Accidents Claims Tribunal, Chief Judicial Magistrate Court,
Villupuram dated 18.09.2012 made in M.C.O.P.No.69 of 2011.

Decree: This Appeal coming on for hearing on this day and upon
perusing the Grounds of Appeal, the Judgment and decree of the
Tribunal below and the material papers in the case and upon
hearing the arguments of MR.M.Krishnamoorthy, Advocate for the
Appellant and of Mr.Arundattan for Mr.C.Munusamy, Advocate for
the first Respondent Ms.G.Sudha for Ms.N.Mala, Advocate for the
3rd Respondent and the Second Respondent Not appearing either in
person or by an Advocate and 4th Respondent having set exparte
in Lower Court itself and this Court while allowing this Civil
Miscellaneous Appeal doth order and decree as follows:

i) that the award of the Motor Accident Claims Tribunal, Chief
Judicial Magistrate Court, Villupuram dated 18.09.2012 made in
M.C.O.P.No.69 of 2011 be and hereby is set aside;

ii) that the Appellant/New India Assurance Company Limited
shall be permitted to withdraw the amount if any already
deposited to the credit of M.C.O.P.No.69 of 2011.



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

Sd/-
Assistant Registrar(CCC)

WEB COPY //True Copy//

Sub Assistant Registrar

To

1.The Chief Judicial Magistrate,
Motor Accidents Claims Tribunal,
Villupuram.

Copy to:
The Section Officer,
VR Section,
High Court,
Madras.

+1cc to Mr.M.Krishnamoorthy , Advocate SR.No. 42848
+1cc to Mr.C.Munusamy, Advocate SR.No. 42872
+1cc to Mr.N.Mala, Advocate SR.No. 42883

Dated:22.12.2020
DECREE
C.M.A.No.732 of 2013

While allowing the Civil Miscellaneous Appeal preferred against the Motor Accidents Claims Tribunal,Chief Judicial Magistrate Court, Villupuram dated 18.09.2012 made in M.C.O.P.No.69 of 2011 etc as stated within.

RLD(CO)
A.SK(01.09.2021)