IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A. No.1924 of 2014

The Oriental Insurance Co. Ltd.,
rep. By its Divisional Manager,
Samundi Complex, Four Road,
Salem-1. .. Appellant/2nd Respondent

Vs.

1.Govindan .. 1st Respondent/Petitioner

2.T.M. Nachimuthu .. 2nd Respondent/1st Respondent

Prayer: Appeal against the judgment and decree dated 25.10.2013, and made in M.C.O.P. No.672 of 2013, on the file of the Special Sub Court, (Motor Accident Claims Tribunal), Krishnagiri.

Decree : This Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the award of the tribunal and the material available on record in this case, and of Mr.S. Arun Kumar, Advocate for the Appellant, and of Mr. K. Prasanna for M/s. Mukund R. Pandiyan, Advocate for the 1st Respondent and the 2nd Respondent having remained exparte before the tribunal, and this Court, while allowing the appeal doth order and decree as follows:

i) that the judgment and decree dated 25.10.2013, and made in M.C.O.P. No.672 of 2013, on the file of the Special Sub Court, (Motor Accident Claims Tribunal), Krishnagiri be and hereby is setaside.

ii) that the appellant/Insurance Company do withdraw the amount, if any lying in the deposit to the credit of M.C.O.P.No.672 and of 2013, if the entire amount has already been deposited by them.

iii) that if the 1st respondent/claimant in the appeal had already withdrawn the entire award amount, the appellant/Insurance Company be and hereby is not entitled to recover the same from the 1st respondent/claimant in the appeal.

iv) that there be no costs in this appeal.

Sd/-
Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

To

1.The Special Subordinate Judge,
Motor Accident Claims Tribunal,
Krishnagiri.

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

+1cc to Mr.S.Arun Kumar, Advocate SR.No.42733

+1cc to M/s. Mukund R. Pandiyan, Advocate SR.No.42719

DATED : 21/12/2020

DECREE :

C.M.A. No.1924 of 2014

Allowing the appeal preferred against the judgment and decree dated 25.10.2013, made in M.C.O.P. No.672 of 2013, on the file of the Special Sub Court, (Motor Accident Claims Tribunal), Krishnagiri, etc., as stated therein.

GP(CO)
GMY(27/08/2021)