



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.2822 of 2014

New India Assurance Company Ltd.
No.21, Patullos Road
Chennai-2.

... Appellant/2nd Respondent

Vs.

1.Gurumoorthy
2.G.Uma Maheshwari
3.A.Shanmugam

.. Respondents1&2/Petitioners
...3rd Respondent/1st Respondent

Prayer: Civil Miscellaneous Appeal filed against the order made in M.C.O.P.No.4387 of 2011,dated 02.01.2014 Motor Accident Claims Tribunal, III Small Causes Court, Chennai.

Decree:This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal , the order of the Lower court and the material papers in the case and upon hearing the arguments of MR.E.Rajadurai for Mr.N.Vijayaraghavan,Advocate for the Appellant and of Mr.Arundattan for Mr.C.Munusamy, Advocate for the First and Second Respondent and third Respondent Not appearing either in person or by an Advocate and this court while allowing this Civil Miscellaneous Appeal the award of the Tribunal,doth order and decree as follows:

i)that the award of the Tribunal below directing the Appellant to pay compensation be and hereby is set aside;

ii)that the Appellant/Insurance Company be and hereby is permitted to withdraw the amount, lying in the deposit to the credit of M.C.O.P.No.4387 of 2011 on the file of Motor Accident Claims Tribunal, III Small Causes Court, Chennai. if the award amount has already been deposited by them.

iii)that the respondents 1 and 2 herein have already withdrawn the award amount, the appellant/Insurance Company is not entitled to recover the same from the respondents 1 and 2.



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

Sd/-

Deputy Registrar(CJ conf)

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Sub Assistant Registrar

To

1.The III Judge
Motor Accident Claims Tribunal
Small Causes Court, Chennai.

2.The Section Officer
VR Section
High Court
Chennai.

+1cc to Mr.C.Munusamy, Advocate SR.No. 42871

Dated:22.12.2020

DECREE

C.M.A.No.2822 of 2014

Allowing the Civil Miscellaneous Appeal preferred against the Judgment and decree made in M.C.O.P.No.4387 of 2011,dated 02.01.2014 the Motor Accident Claims Tribunal, III Small Causes Court, Chennai etc as stated within.

SRA(CO)
A.SK(07.09.2021)