



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY THE THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY

PRESENT:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.3594 of 2014

The Divisional Manager,
United India Insurance Co.Ltd.,
Ranipet

...Appellant/2nd Respondent

Vs.

1.Radhabai

2.Rani

3.Lakshmi

4.Harikrishnan

5.Amsa

6.Murali

...1 to 6 Respondents/ Petitioners

7.Srinuvasa Reddy

...1st Respondent/7th Respondent

Prayer: Civil Miscellaneous Petitions filed under Section 173 of Motor Vehicle Act, 1988 against the judgement and decree dated 26.03.2014 made in M.C.O.P.No.294 of 2004 on the file of the MACT (Sub-Court) at Cheyyar.

Decree:This 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.Vijaya Raghavan , Advocate for the Appellant and of Respondents 1 to 6 Not appearing either in person or by an Advocate and steps not having been taken to serve notice to the 7th Respondent and this Court while allowing this Civil Miscellaneous Appeal doth order and decree as follows:

i)that the impugned award dated 26.03.2014 made in M.C.O.P.No.294 of 2004 on the file of the Motor Accident Claims Tribunal,Subordinate Court,Cheyyar, be and hereby is setaside.



ii)that the compensation awarded by the Tribunal against the seventh Respondent herein/1st Respondent is concerned be and hereby is confirmed.

iii)that the seventh respondent herein/1st Respondent be and hereby is directed to deposit the entire award amount together with interest at the rate of 7.5% per annum from the date of claim till the date of deposit and cost within a period of four weeks from the date of receipt of a copy of this Judgment.

iv)that on such deposit being made, the Tribunal be and hereby is directed to transfer the respective shares of the award amount to the bank accounts of the respective Respondents/claimants through RTGS within a period of two weeks thereafter.

v)that the Tribunal be and hereby is directed to permit the appellant / Insurance Company to withdraw the amount that they have already deposited before the Tribunal pursuant to the impugned Award.

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

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

pns

To

1. The Judge,
Motor Accident Claims Tribunal,
(Sub-Court) at Hosur.

Copy to:

The Section Officer,
Vernacular Section,
Madras High Court.

Dated:03.09.2020

DECREE

C.M.A.No.3594 of 2014

Allowing the Civil Miscellaneous Appeal preferred against the Judgment and decree dated 26.03.2014 made in M.C.O.P.No.294 of 2004 on the file of the MACT (Sub-Court) at Cheyyar etc as stated within.

spd(CO)

A.SK(16.09.2021)

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