

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE TWENTY FIFTH DAY OF AUGUST
TWO THOUAND AND TWENTY

PRESENT

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.3645 of 2014

National Insurance Company Limited,
No.18, Court Street,
Tiruppur.

... Appellant/2nd Respondent

vs.

1.Paramasivam

... 1st Respondents/Petitioner

2.Selvaraj

... 2nd Respondent/Owner of the Vehicle

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the Judgment and Decree of the Motor Accident Claims Tribunal, 1st Additional District and Sessions Judge, Tiruppur made in M.C.O.P.No.882 of 2010 dated 18.03.2013.

Decree : This Civil Miscellaneous Appeal coming up for hearing on this day and upon perusing the grounds of Appeal, the award of the Tribunal and the records in the case and upon hering the arguments of Ms.N.B.Surekha, Advocate for the Appellant and of Mr.Ma.P.Thangavel, Advocate for the first respondent and the second respondent having not appeared either in person or by Advocate, this Court while partly allowing this Civil Miscellaneous Appeal, doth order and decree as follows:

i) that the award and decree of the Motor Accident Claims Tribunal, 1st Additional District and Sessions Judge, Tiruppur made in M.C.O.P.No.882 of 2010 dated 18.03.2013 be and hereby are modified and the Appellant/Insurance Company do pay the compensation to the 1st respondent/claimant herein and recover the same from the 2nd respondent/owner of the vehicle;

ii) that 1st respondent/claimant is permitted to withdraw the award amount of the Tribunal and

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

Sd/-
Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

To

1. The 1st Additional District and Sessions Judge,
The Motor Accident Claims Tribunal,
Tiruppur.
2. The Section Officer,
VR Section,
Madras High Court.

DATED : 25/08/2020

DECREE :

C.M.A.No.3645 of 2014

Partly allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal, 1st Additional District and Sessions Judge, Tiruppur made in M.C.O.P.No.882 of 2010 dated 18.03.2013 etc., as stated within.

PP(CO)
GMY(01/09/2021)