



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Third day of November Two Thousand Twenty

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA. No.1254 of 1998

1.Razia Begam

2.The Branch Manager,

The New India Assurance Company Limited,
Seethaiyammal Building,
Sathiyamurthy Road,
Pudukkottai.

.. Appellants/Respondents

vs.

1.Raja

2.Nagappan

3.Lakshmi

4.Santhi

5.Atchiponnu

....Respondents/Claimants

(R2-declared major and his guardian was discharged vide order of this Court made in C.M.P.No.5553 of 1999, dated 7.11.2000)

Prayer:

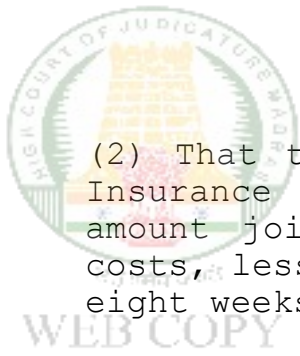
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988, praying this Court to set aside the judgment and decree made in M.C.O.P.No.10 of 1993, dated 23.1.1998, on the file of the Motor Accident Claims Tribunal(Court of Additional District Judge and Chief Judicial Magistrate), Pudukkottai.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.J.S.Murali, Advocate for the Appellant and of Mr.J.Saravana vel, Advocate for the respondents, this Court doth order and decree as follows:-

(1) That the judgment and decree made in M.C.O.P.No.10 of 1993, dated 23.01.1998, on the file of the Motor Accident Claims Tribunal (Court of Additional District Judge and Chief Judicial Magistrate), Pudukkottai, be and hereby is confirmed and the Civil Miscellaneous

<https://hcservices.courts.gov.in/hcservices/>
Appeal is dismissed;



(2) That the Appellants 1 & 2 here in / owner of the vehicle and Insurance Company be and hereby is directed to deposit the entire amount jointly and separately together with accrued interest and costs, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of the Judgment.

(3) That on such deposit being made, the Respondents herein/claimants be and hereby are permitted to withdraw their share in the award amount, less the amount already withdrawn, if any, together with proportionate accrued interest and costs, as per the ration of apportionment made by the Tribunal; and

(4) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal /
The Additional District Judge and
Chief Judicial Magistrate, Pudukkottai.

Copy to:

The Section Officer,V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to Mr.J.S.MURALI, Advocate SR.No.21434

ORDER DATED : 03/11/2020

=====

DECREE

=====

CMA. No.1254 of 1998

Nature of Decree:-
Dismissing the judgment and
decree made in
M.C.O.P.No.10 of 1993,
dated 23.01.1998, on the
file of the Motor Accident
Claims Tribunal (Court of
the Additional District
Judge and Chief Judicial
Magistrate), Pudukkottai,
as stated within.

SVN(CO)

SP (05) 001 2021 3P 5C
<https://hcservices.courts.gov.in/hcservices>