



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(CIVIL APPELLATE JURISDICTION)

TUESDAY, THE THIRD DAY OF NOVEMBER TWO THOUSAND AND TWENTY

PRESENT

THE HON`BLE MR.JUSTICE K.KALYANASUNDARAM

CMA(MD). NO.384 OF 2005

M/s.The Oriental Insurance CO., Ltd.,
Rep. by its Divisional Manager
Door No.216-A, Nethaji Road, Madurai-1.

...Appellant

Vs

1 Chokkammal,
W/o.Vellaichamy, Pondhugampatti Village,
Palamedu Via, Senthamangalam Post,
Madurai District.

2 M.Arumugham, S/o.Muthiah,
No.4/67, Dr.Ambedkar Street,
Nagamalai, Pudukottai, Madurai.

... Respondents

Prayer in CMA(MD).NO.384 of 2005:

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree of the IV Additional Subordinate Judge (Motor Accident Claims Tribunal) Madurai, dated 08.03.2004 in MCOP.NO.1184 of 1999.

ORDER:- This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.K.BHASKAR, Advocate for the Appellant and of Mr.V.NAGENDRAN, Advocate for the 2nd respondent, and this appeal having been dismissed as against the first respondent vide court order dated 29.11.2017, this Court doth order and decree as follows:

1.That the award and decree passed by the IV Additional Subordinate Judge(Motor Accident Claims Tribunal), Madurai, dated 08.03.2004, in MCOP.NO.1184 of 1999, be and hereby are confirmed and the Civil Miscellaneous Appeal is dismissed.



2.That the Appellant/Insurance Company be and hereby is directed to deposit the entire award amount with accrued interest and costs, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of copy of this judgment.

3.That on such deposit being made, the first respondent/Claimant be and hereby is permitted to withdraw the award amount, less the amount already withdrawn, if any, together with interest and costs and

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO:

The IV Additioinal Subordinate Judge,
(Motor Accident Claims Tribunal), Madurai.

Copy to:

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

ORDER DATED : 03/11/2020

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DECREE
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CMA(MD) . No.384 of 2005

Nature of Decree: Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the IV Additional Subordinate Judge, MACT, Madurai, dated 08.03.2004 made in MCOP.NO.1184/1999.

NR (09/12/2020) 2P : 4C

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