



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Fourth day of November Two Thousand and Twenty

PRESENT

The Hon'ble Mr.Justice K.KALYANASUNDARAM

CMA(MD) . No.1295 of 2008

THE BRANCH MANAGER, NATIONAL INSURANCE COMPANY LIMITED,
175-A, GREAT COTTON ROAD, TUTICORIN.

...Appellant / 2nd Respondent

-Vs-

1 KARTHIKEYAN

...1st Respondent / Petitioner

2 SHAHUL HAMEED

(EX-PARTE IN THE LOWER COURT)

...2nd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree dated 15.10.2007 made in M.C.O.P.No.1047 of 2005 on the file of the Motor Accident Claims Tribunal, (Additional District Judge), at Tirunelveli.

DECREE:-

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.N.MURUGESAN, Advocate for the Appellant and none appeared for the Respondents, this Court doth order and decree as follows:-

1 That the judgment and decree dated 15.10.2007 passed in M.C.O.P.No.1047 of 2005 on the file of the Motor Accident Claims Tribunal, (Additional District Judge), at Tirunelveli be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

2 That the Appellant herein / 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



3 That on such deposit being made, the claimants be and hereby are permitted to withdraw the award amount, less the amount already withdrawn, if any, together with proportionate interest and costs; and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Additional District Judge,
Motor Accident Claims Tribunal,
Tirunelveli.

Copy to:

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

ORDER DATED : 04/11/2020

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DECREE

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CMA(MD). No.1295 of 2008

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal against judgment and decree dated 15.10.2007 made in M.C.O.P.No.1047 of 2005 on the file of the Motor Accident Claims Tribunal, (Additional District Judge), at Tirunelveli etc., as stated within.

NR (27/01/2021) 2P : 4C