



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Eighth day of December Two Thousand and Twenty

PRESENT:

The Hon'ble Mr.Justice K.KALYANASUNDARAM

CMA(MD) No.908 of 2007

The Branch Manager
United India Insurance Co., Ltd.,
Paramakudi.

... Appellant.

Vs

1.MUTHUVALI
2.BALAKRISHNAN
3.MINOR MAHALINGAM
4.MINOR MALLIKA (R3 &R4 rep. by Guardian and
next friend R1)
5.S.M.VELLAISAMY
6.MUTHUVEL
(R5 & R6 HEREIN,REMAINED EX-PARTE IN TRIBUNAL).

... Respondents

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 against the award dated 28/07/2005 made in M.C.O.P.No.199 of 2001 on the file of the Motor Accident Claims Tribunal/Additional District Court(FTC), Ramanathapuram.

DECREE:-This Civil Miscellaneous Appeal is coming on for 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.B.RAJESH SARAVANAN, Advocate for the Appellant and Mr.H.Lakshmi Shankar, Advocate for the respondents 1 to 4 and the fifth and sixth respondent set as exparte in the Tribunal,this Court while allowing the appeal, doth order and decree as follows:-

(1) That the award amount passed by the Motor Accident Claims Tribunal/Additional District Court(FTC), Ramanathapuram, made in M.C.O.P.No.199 of 2001 be and hereby is confirmed;

(2) That the Claimants/Petitioners shall recover the amount from the Owner of the Vehicle;

(3) That, if any amount deposited by the appellant, shall be returned to the appellant/ insurance company; and



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

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// True Copy //

Sd/-

Assistant Registrar(CS-III)

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal/
Additional District Court(FTC), Ramanathapuram.

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

+1 CC to Mr.H.LAKSHMI SANKAR, Advocate SR.No. 24571

ORDER DATED : 08/12/2020

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DECREE

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CMA(MD) No.908 of 2007

Allowing the Civil
Miscellaneous Appeal
preferred against the award
dated 28/07/2005 made in
M.C.O.P. No. 199 of 2001 on
the file of the Motor
Accident Claims
Tribunal/Additional
District Court (FTC),
Ramanathapuram and etc., as
stated within.

ma (CO)
TR(09.06.2021) 2P 5C