



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

Thursday, the Twenty Sixth day of November
Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
CMA(MD).No.1448 of 2008

WEB COPY

The Oriental Insurance Co., Ltd.,
Represented by its
Divisional Manager,
No.1,Opp Crime Branch,
103, T.P.K.Road,
Madurai-626 001.

Appellant/ 2nd Respondent

Vs

1.R.Jeyamurugan
S/o.Rajakani Nadar,
No.95-96, Nadar South Street,
Kosugundu Post, Manmeni Via,
Sattur Taluk, Virudhunagar District.

1st Respondent/Petitioner

2.P. Velmurugan,S/o.M.Pandian,
No.19/10, Muniasamy Kovil North Lane,
Sattur-626 203.

2nd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 21/02/2008 made in MCOP.No.983 of 2005 on the file of the Motor Accident Claims Tribunal cum Principal Subordinate Judge, Tirunelveli.

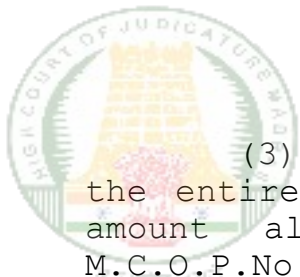
DECREE:-

This Civil Miscellaneous Appeal having come up for 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.C.Jawahar Ravindran, Advocate for the Appellant and of, Mr.V.Kannan, Advocate for the first Respondent and the 2nd Respondent having remained ex-parte before the Tribunal, this court while dismissing the Civil Miscellaneous Appeal , doth order and decree as follows:-

(1) That the award and decree passed by the Motor Accident Claims Tribunal cum Principal Subordinate Judge, Tirunelveli, dated 21/02/2008 in MCOP.No.983 of 2005 be and hereby are confirmed;

(2) That the Appellant herein/Insurance Company be and hereby is directed to pay the amount awarded by the tribunal at the first instance and then, recover the same from the Second Respondent

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(3) that the Appellant herein/Insurance Company do deposit the entire award amount with accrued interest and costs, less the amount already deposited, if any, to the credit of the M.C.O.P.No.983 of 2005 on the file of the Motor Accident Claims Tribunal cum Principal Subordinate Judge, Tirunelveli, within a period of eight weeks from the date of receipt of a copy of this judgment.

(4) that on such deposit being made, the first Respondent herein/Claimant be and hereby is permitted to withdraw the entire award amount along with accrued interest and costs, without filing a formal application seeking permission., and

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

Sd/-

Assistant Registrar (CS-III)

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/ /2020

Sub Assistant Registrar(CS)

TO

The Principal Subordinate Judge,
Motor Accidents Claims Tribunal, Tirunelveli.

Copy to:

The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court, Madurai. (2 Copies).

ORDER DATED : 26/11/2020

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DECREE
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Nature of Decree:-

Dismissing the Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal cum Principal Subordinate Judge, Tirunelveli, dated 21/02/2008 made in MCOP.No.983 of 2005, etc.,

NR (31/12/2020) 2P : 4C

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