



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

Monday, the Fourteenth day of December, Two Thousand and Twenty
present

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THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

C.M.A(MD)No.1615 of 2008

The National Insurance Company Ltd.,
1753/54, Manojiyappa Street,
Thanjavur Munsif, Taluk & Town
Through its Division Manager. ... Appellant/2nd Respondent

vs.

1.Loganathan ...1st Respondent/Petitioner
2.M.S.R.Saminathan ...2nd Respondent/1st Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the fair and decretal order dated 08/12/2006 made in M.C.O.P.No.88 of 2005 on the file of the Motor Accident Claims Tribunal (Sub Court), Pattukkottai.

DECREE: This Civil Miscellaneous Appeal having come up 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.S.Srinivasa Raghavan, Advocate for the Appellant and of Mr.S.Deenadhayalan, Advocate for the First Respondent and the Second Respondent did not appeared either in person or by an Advocate, this Court, doth order and decree as follows:

(1)That the order and decretal passed by the Motor Accident Claims Tribunal (Sub Court), Pattukkottai, dated 08/12/2006 made in M.C.O.P No.88 of 2005 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 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 a copy of this judgment.

(3)that, on such deposit being made, the First Respondent herein/Claimant be and hereby is permitted to withdraw the award amount, less the amount already withdrawn, if any, together with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)

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Sub Assistant Registrar(CS)

skn

To

- 1.The Sub Judge,
The Motor Accident Claims Tribunal,
Pattukkottai.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.(2 C)

+1 cc to Mr.S.SRINIVASA RAGHAVAN ,Advocate, SR No.25461

DATED:14.12.2020

DECREE

C.M.A(MD)No.1615 of 2008

NATURE OF DECREE: Dismissing the Appeal preferred against the Judgment and decree of the Motor Accident Claims Tribunal, Sub Court, Pattukkottai, dated 08/12/2006 made in M.C.O.P.No.88 of 2005, etc., as stated within.

KK(18.01.2021) 2P 5C