



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Eighth day of December Two Thousand and Twenty

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PRESENT:

The Hon'ble Mr.Justice K.KALYANASUNDARAM

CMA(MD) No.371 of 2006

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

... Appellant.

Vs

1 GANDHI

2 S.M.VELLAISAMY

(R2 HEREIN, REMAINED EX-PARTE IN TRIBUNAL). ... Respondents

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 against the award dated 27/10/2005 made in M.C.O.P.No.52 of 2001 on the file of the Motor Accident Claims Tribunal (Sub Court), Paramakudi.

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 the first respondent is expired and also the second 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 (Sub Court), Paramakudi, made in M.C.O.P.No.52 of 2001 be and hereby is confirmed;

(2) That the Claimant/Petitioner shall recover the amount from the Owner of the Vehicle;

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



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

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Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal (Sub Court), Paramakudi.

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

ORDER DATED : 08/12/2020

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DECREE
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CMA(MD) No.371 of 2006

Allowing the Civil Miscellaneous Appeal preferred against the award dated 27/10/2005 made in M.C.O.P. No. 52 of 2001 on the file of the Motor Accident Claims Tribunal (Sub Court), Paramakudi and etc., as stated within.

ma (CO)

TR(09.06.2021) 2P 4C