



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Eighth day of December Two Thousand Twenty

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PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD). No.207 of 2009

THE BRANCH MANAGER,
UNITED INDIA INSURANCE CO. LTD. MARTHANDAM,
KANYAKUMARI DISTRICT.. ... Appellant/2nd Respondent

Vs

1 KALPANA ... 1st Respondent/Claimant

2 P.M.AKILA ... 2nd Respondent/1st Respondent
(EX-PARTE IN THE LOWER COURT).

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal(Additional District Judge/Fast Track Court) at Pudukottai, dated 07.02.2008 made in MCOP No.691 of 2005.

DECREE:-

This 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 of MR.S.DEENADHAYALAN, Advocate for the 1st Respondent and the 2nd respondent was set exparte before the Lower Court and this Court while dismissing the appeal doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal (Additional District Judge/Fast Track Court) at Pudukottai, dated 07.02.2008 made in MCOP No.691 of 2005, be and hereby is confirmed.

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the entire award amount with accrued interest and const, less the amount already deposited, if any, within a period of 8 weeks from the date of receipt of copy of this judgment.

(3) That on such deposit being made, the claimant be and hereby is permitted to withdraw the award amount, less the amount already withdrawn, if any, together with interest and costs.



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

Sd/-

Assistant Registrar(CO)

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/ /2020

Sub Assistant Registrar(CS)

TO

The Additional District Judge,
Fast Track Court,
Motor Accident Claims Tribunal, Pudukottai.

Copy to:

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

+1 CC to M/s.N.MURUGESAN, Advocate (SR-24537 dated 09/12/2020)

ORDER DATED : 08/12/2020

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DECREE

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CMA(MD) . No.207 of 2009

Nature of Decree:-
Dismissing the Civil
Miscellaneous Appeal
preferred against the
judgment and decree of the
Additional District
Judge/FTC MACT Pudukottai
dated 07.02.2008 made in
MCOP No.691 of 2005.

PM(CO)

TR(31.12.2020) 2P 5C