



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Fourteenth day of December Two Thousand and Twenty

PRESENT:

The Hon'ble Mr.Justice G.ILANGO VAN

CMA(MD)No.1565 of 2010

MINOR P.KAMALESH,
REP. THROUGH HIS MOTHER &
NATURAL GUARDIAN ,
THIRUKUAMRI.

... APPELLANT/PETITIONER

VS

1.D.SOUNDARAVALLI
W/O.DORAISAMY, 383, MARAIKAYARPATTINAM,
PARAMAKUDI TALUK, VENTHONI POST, RAMANATHAPURAM DISTRICT

2.M/S.UNITED INDIA INSURANCE CO., LTD.,
5/328-E, SOWKATHALI STREET,
PARAMAKUDI,PARAMAKUDI TALUK,
RAMANATHAPURAM DIST..

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award and decree dated 15.06.2010 made in M.C.O.P.No.142 of 2008 on the file of the Motor Accident Claims Tribunal, Sub Court, Aruppukottai.

DECREE:-This Civil Miscellaneous Appeal coming up for hearing on this day, 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.N.V.SURESHKUMAR, Advocate for the Appellant and of Mr.G.PRABHU RAJADURAI, Advocate for the second respondent and the first respondent having not appeared either in person or by an Advocate, this Court while allowing the appeal with modification of the award, doth order and decree as follows:-

(1) That the award and decree passed by the Tribunal be and hereby are modified and the second respondent/insurance company is directed to pay the award amount with interest and costs on behalf of the first respondent within a period of two months from the date



of receipt of copy of this Order and then recover the same from the first respondent and

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

WEB COPY

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Subordinate Judge,
Motor Accident Claims Tribunal,
Aruppukottai.

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

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate(SR-25782 dt. 16/12/2020)

ORDER DATED : 14/12/2020

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DECREE
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CMA(MD)No.1565 of 2010

Allowing this Civil Miscellaneous Appeal against award dated 15.06.2010 made in M.C.O.P.No.142 of 2008 on the file of the Motor Accident Claims Tribunal, Sub Court, Aruppukottai and etc., as stated within.

MA (CO)
NR (19/01/2020) 2P : 5C