



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

Thursday, the Tenth day of December Two Thousand and Twenty
PRESENT

The Hon'ble Mr. Justice K. KALYANASUNDARAM

CMA (MD) . No.474 of 2009

THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE CO. LTD.
WEST VELI STREET
MADURAI-1.

..Appellant/2nd Respondent

Vs

1 S. RAMACHANDRAN
S/O. SURYA NARAYANA NADAR,
8-6-11, SAMY NADAR STREET,
NILAKKOTTAI.

..1st Respondent/1st Petitioner

2 R. BRAHMANANDH
S/O. S. RAMACHANDRAN,
8-6-11, SAMY NADAR STREET,
NILAKKOTTAI.

..2nd Respondent/2nd Petitioner

3 K. SUBRAMANIAN
4/29-A, VALLAM P.O.,
NAINARKOIL VIA,
PARAMAKUDI,
RAMNAD DISTRICT.

..3rd Respondent/1st Petitioner

(3RD RESPONDENT EX PARTE BEFORE TRIBUNAL)

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) Dindigul dated 16.03.2007 passed in MCOP No.252 of 2004

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. G. PRABHU RAJADURAI, Advocate for the Appellant and of MR. K. APPADURAI, Advocate for the Respondents Nos. 1 & 2 and MR. K. SATHIAMOORTHY, Advocate for the Respondent No. 3, 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) Dindigul dated 16.03.2007 passed in MCOP No.252 of 2004 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



costs, less the amount already deposited, if any, within in a period of eight weeks from the date of receipt of a copy of this order.

(3) That on such deposit, the first respondent/claimant be and hereby is permitted to withdraw the award amount, less the amount already withdrawn, if any, together with interest and costs, as the claim petition was dismissed as against the 2nd respondent/second claimant by the Tribunal and

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Additional District Judge (Fast Track Court)
Motor Accident Claims Tribunal
Dindigul

Copy to:

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

+ 1 CC to Mr.G.Prabhu Rajadurai, Adv in C.A.SR.No.25210/2020

DATED : 10/12/2020

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DECREE

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CMA(MD) . No.474 of 2009

Nature of Decree:-

Dismissing the Civil
Miscellaneous Appeal
preferred against the
judgment and decree of the
Motor Accident Claims
Tribunal (Additional
District Judge- Fast Track
Court) Dindigul dated
16.03.2007 made in MCOP
No.252 of 2004