



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.502 of 2009

THE BRANCH MANAGER,
NATIONAL INSURANCE CO.LTD.,
BRANCH OFFICE,
RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT.

: Appellant/2nd Respondent

Vs

1. PRAKASH,
S/O.POOCHIAPPAN,
MAVUTHANPATTI, AMMAPATTI POST,
NILAKKOTTAI TALUK, DINDIGUL DISTRICT.

: 1st Respondent/Petitioner

2. SANTHI MAHESWARAN,
W/O.MAHESWARAN,
No.32, SOUTH CAR STREET,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
(EX-PARTE IN THE LOWER COURT).

: 2nd Respondent/1st Respondent

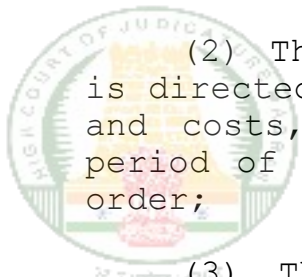
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree dated 21.11.2006 made in M.C.O.P. No. 611 of 2001 on the file of the Motor Accident Claims Tribunal (Fast Track Court), Dindigul.

DECREE:-

This Civil Miscellaneous Appeal having come up for final 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.MURUGESAN, Advocate for the Appellant and of Mr.R.HARIHARAN, Advocate for the 1st respondent and 2nd respondent having not appear either in person or by an Advocate, this Court doth order and decree as follows:-

(1) That the award and decree passed by the Motor Accident Claims Tribunal (Fast Track Court), Dindigul, dated 21.11.2006 in M.C.O.P. No. 611 of 2001 be and hereby are 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 accrued interest and costs, less the amount already deposited, if any, within a period of eight (8) weeks from the date of receipt of copy of the order;

(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the first respondent herein/ claimant be and hereby is permitted to withdraw the award amount, less the amount already withdrawn, if any, together with interest and costs; and

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Additional District and Sessions Judge,
Motor Accident Claims Tribunal,
(Fast Track Court), Dindigul.

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-25046 dated 11/12/2020)

ORDER DATED : 10/12/2020

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DECREE

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CMA(MD) . No.502 of 2009

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 21.11.2006 made in M.C.O.P. No. 611 of 2001 on the file of the Motor Accident Claims Tribunal (Fast Track Court), Dindigul.

SE (CO)

CS: 18.01.2021 2P 5C

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