



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Thursday, the Seventeenth day of December,
Two Thousand and Twenty

WEB COPY

PRESENT

The Honourable Mr.Justice K.KALYANASUNDARAM

CMA(MD) . No.944 of 2009

THE UNITED INDIA INSURANCE,
CO. LTD. REP. THROUGH BRANCH MANAGER 23-C ,
EAST MASI STREET BOMBAY STORES BUDILING 2ND ,
FLOOR TENKASI. .. Appellant/Third Respondent

Vs

1. M.MAHALAKSHMI

2. MINOR KATHIRESAN

3. MINOR GOKILA

(Respondents 2 & 3 are
represented through their
mother and next friend-
the first respondent herein-M.Mahalakshmi)

... Respondents 1 to 3 / Petitioners

4. K.ABDUL KAREEM

5. M.E.PAKEER MOHIDEEN

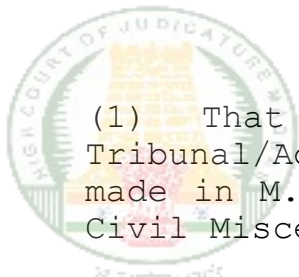
... Respondents 4 and 5 / Respondents 1 and 2

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 Subordinate Court, Tenkasi dated 11.01.2008 made in M.C.O.P. No.213 of 2004.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this day, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of S.MUTHALRAJ, Advocate for the Appellant, Mr.K.SAMIDURAI, Advocate for R1 TO R3 and of Mr.C.MUTHU SARAVANAN, Advocate for R4 ND R5, this Court doth order and decree as



(1) That the Award passed by the Motor Accident Claims Tribunal/Additional Subordinate Court, Tenkasi dated 11.01.2008 made in M.C.O.P. No.213 of 2004 be and hereby is 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 together with accrued interest and costs, less the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this judgment.

(3) that on such deposit being made, the claimants be and are hereby permitted to withdraw their share in the Award amount, less the amount already withdrawn if any, together with proportionate accrued interest and costs, as apportioned by the Tribunal below; and

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

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO
The Motor Accident Claims Tribunal,
The Additional Subordinate Judge, Tenkasi.

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

+1 CC to M/s.K.SAMI DURAI, Advocate (SR-26352 dated 18/12/2020)

DATED : 17/12/2020

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DECREE

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CMA(MD). No.944 of 2009

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the MACT / Addl. Sub. Court, Tenkasi dated 11.01.2008 made in MCOP. No. 213 of 2004 and giving directions etc. as stated therein.

DKS (CO)

<https://hcservices.courts.gov.in/hcservices> SP 5C