



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Eleventh day of December Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CMA(MD) . No.79 of 2010

THE UNITED INDIA INSURANCE,
COMPANY LIMITED NO.406 PERIYAKULAM ROAD ,
THENI.

... APPELLANT

Vs

1 MINOR.SUBASHINI
REP.BY HER FATHER AND GUARDIAN D/O.,
GOWRISHANKAR, B-3, 250 KAILASAPURAM TOWNSHIP,,
BHEL, TRICHY-14.

2 D.SELVAM @ SELVARAJ
S/O.DUR AISAMY, PADMANABANKOIL STREET, K.K.,
KULAM, CHINNAMANOOR POST, THENI DISTRICT.

3 V.PUSHPA
W/O.VIJAYARANGAN, 3, C.T.V.NAGAR, TRICHY.

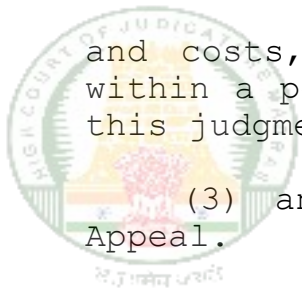
4 THE NEW INDIA ASSURANCE
COMPANY LIMITED, JUMAN CENTRE, BRANCH-II, NO.,
43 A/2, PROMENADE ROAD, CANTONMENT, TRICHY-1. ... RESPONDENTS

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree passed in MCOP No. 2618 of 2001 dated 19.10.2005 on the file of the Addl.District and Sessions Court Cum Fast Track No- I, Trichy. .

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.C.JAWAHAR RAVINDRAN, Advocate for the Appellant and of Mr.B.VIJAY KARTHIKEYAN, Advocate for the 4th respondent, and eventhough the notice was sent and served not appeared either in person or through their Advocate for the 2nd and 3rd respondents, this Court doth order and decree as follows:-

(1) That the judgement and decree dated 19.10.2005 passed in MCOP No.2618 of 2001 on the file of the Addl.District and Sessions Court Cum Fast Track No.I, Trichy be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

(2) That the Appellant here in/Insurance Company be and hereby is directed to deposit the entire award amount with accrued interest



and costs, after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of copy of this judgment;

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

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Addl.District and Sessions Judge,
Fast Track No- I, Trichy.

Copy to:

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

+1cc to Mr.B.Vijaykarthikeyan, Advocate Sr.No.25072

ORDER DATED : 11/12/2020

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DECREE
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CMA(MD). No.79 of 2010

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the MCOP. No 2618 of 2001 dated 19.10.2005 on the file of the Addl.District and Sessions Court Cum Fast Track No- I, Trichy. .

VB (20.01.2021) 2P 5C