



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Twenty Third day of November Two Thousand and Twenty

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN

CRP(MD)No. 368 of 2008

National Insurance Co. Ltd.,
Rep. by its Branch Manager, No.11,
92, Thevarpuram Road, Tuticorin-628 003

.... Petitioner

VERSUS

1.Minor M.Kombaiah, S/o.Muthu Pandi,
Amman Kovil Street, Panangulam,
Nanguneri Taluk, Tirunelveli District.
Rep. by Next Friend & Father M.Kombaiah.

2.G.Jeyaraj, S/o.Gopalakrishnan,
1A8, Mada Street, Sernthamaram Post,
Sankarankovil Taluk, Tirunelveli District.

3.The Proprietor, M/s.Santhi Finance Corporation,
46, Irulappan Street, Sowcarpet,
Chennai, Tamil Nadu.

... Respondents

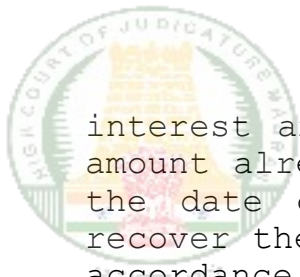
PRAYER IN CRP(MD)No. 368 OF 2008 :

Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 30.12.2005 made in MCOP No. 985 of 2004 on the file of Motor Accidents Claims Tribunal, (Principal District Judge), Tirunelveli.

DECREE:- This Civil Revision Petition coming up for final hearing on this day, upon perusing the Grounds of revision, the award of the Tribunal and the material papers to the revision and upon hearing the arguments of MR.S.SRINIVASA RAGHAVAN, Advocate for the petitioner and the 2nd Respondent having not appeared either in person or by an advocate, this Court while allowing the Revision in part doth order and decree as follows:-

1.That, the quantum of compensation awarded by the Tribunal be and hereby is confirmed as such ;

2. that, the Petitioner / Insurance Company be and hereby is



interest and costs, as ordered by the Tribunal after deducting the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this judgment and thereafter, recover the same from the owner and the financier of the vehicle, in accordance with law ;

WEB COPY

3. that, on such deposit being made the first respondent/Claimant be and hereby is permitted to withdraw the same on making proper application before the Tribunal and

4. That, there be no costs in this Civil Revision Petition.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

THE PRINCIPAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

Copy to:

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

ORDER DATED : 23/11/2020

=====

DECREE

=====

CRP(MD)No.368 of 2008

Nature of Decree:- Allowing the Civil Revision Petition in part preferred against the fair and decreetal order dated 30.12.2005 and made in MCOP No. 985 of 2004 on the file of Motor Accident Claims Tribunal, (Principal District Judge), Tirunelveli.

VB (04.01.2021) 2P 4C