



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

Tuesday, the Fifteenth day of December Two Thousand and Twenty

PRESENT
The Hon'ble Mr. Justice N. SESHASAYEE

CMA(MD). No.449 of 2020

The Branch Manager,
The Oriental Insurance Company Ltd.,
Lakshmi Arcade, Trichy Road,
Thanjavur.

...Appellant/2nd Respondent

Vs

1. Kumar

S/o. Ponnuchamy,

No.417, Melatheru, Kannanthangudi Keelaiyur,

Orathanadu Taluk, Thanjavur District. ...1st Respondent/Petitioner

2. Saravanan

S/o. Beemaraj,

No.6/1, Uluppakkara Street,

Orathanadu, Orathanadu Taluk,

Thanjavur District.

...2nd Respondent/1st Respondent

Prayer :-

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicle Act, to set aside the Decree and Judgment made in MCOP No.465 of 2019 dated 01.07.2020 on the file of the Motor Accident Claims Tribunal cum Special District Judge, Thanjavur.

DECREE:- Civil Miscellaneous Appeal coming up for hearing on this day and upon perusing the Grounds of Appeal and the award of the Tribunal and upon hearing the arguments of Mr.K.Bhaskaran, Advocate for the Appellant, this Court while allowing the Civil Miscellaneous Appeal, doth order and decree as follows:

1 That the award and Decree dated 01.07.2020 made in M.C.O.P.No.465 of 2019 on the file of the Motor Accident Claims Tribunal cum Special District Judge, Thanjavur be and hereby are set aside and the matter is remanded back to the Motor Accident Claims Tribunal cum Special District Judge, Thanjavur;



2 That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS III)

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/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal cum
Special District Judge, Thanjavur

+1cc to Mr.K.Bhaskaran, Advocate, SR 25610

ORDER DATED : 15/12/2020

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DECREE

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CMA(MD). No.449 of 2020

Nature of Decree : Allowing the Civil Miscellaneous Appeal against the Decree and Judgment made in MCOP No.465 of 2019 dated 01.07.2020 on the file of the Motor Accident Claims Tribunal cum Special District Judge, Thanjavur

NS (CO)

KK (29.01.2021) 2P 3C