



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Fourteenth day of February Two Thousand and Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.198 of 2014

M/S. ORIENTAL INSURANCE CO.LTD,
REP. BY ITS DIVISIONAL MANAGER,
DIVISIONAL OFFICE, BANGUR DHARMASALA BUILDING,
OPP. TO RAILWAY JUNCTION, MADURAI-1.

... Appellant /2nd Respondent

Vs

1 C. KRISHNAMOORTNY

... 1st Respondent/Petitioner

2 P. THATCHINAMOORTHY

... 2nd Respondent/1st Respondent

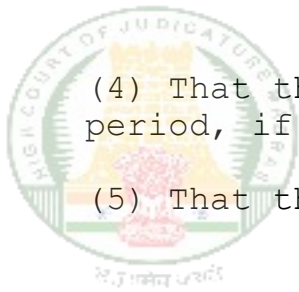
Prayer:- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accidents Claims Tribunal-cum-III Additional District and Sessions judge(PCR), Madurai, dated 11.11.2013 made in M.C.O.P.No.1723 of 2010.

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.K.BHASKARAN, Advocate for the Appellant and of Mr.A.THEETHAR, Advocate for the first respondent, and none appearance on behalf of the second respondent this Court doth order and decree as follows:-

(1) That the award passed by the the Motor Accident Claims Tribunal cum III Additional District and Sessions judge(PCR), Madurai dated 11.11.2013 and made in M.C.O.P.No.1723 of 2010 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

(2) That the Appellant/Oriental Insurance Company Ltd., be and hereby is directed to deposit the amount awarded by the Tribunal, along with interest at the rate of 7.5% p.a from the date of petition till the date of deposit, within a period of four weeks from the date of receipt of copy of this judgment, if not already deposited.

(3) That on such deposit being made, the claimant/first respondent be and hereby are permitted to withdraw the award amount after deducting amount if any already received by him.



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(4) That the Claimants are not entitled for Interest for the default period, if there is any default and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The III Additional District and Sessions Judge(PCR),
The MOTOR ACCIDENT CLAIMS TRIBUNAL.
Madurai.

2. The Section Officer, (2 copies)
V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.BASKARAN, Advocate (SR-6423 dated 14/02/2020)

+1 CC to M/s.A.THEETHAR, Advocate (SR-6629 dated 17/02/2020)

ORDER DATED : 14/02/2020

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DECREE

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CMA(MD). No.198 of 2014

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accidents Claims Tribunal cum III Additional District and Sessions judge(PCR), Madurai dated 11.11.2013 made in M.C.O.P.No.1723 of 2010.

SDS (20.05.2020) 2P-6C