



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

Wednesday, the Ninth day of December Two Thousand Twenty

PRESENT:

The Hon'ble Mr.Justice N.SESHASAYEE

CMA(MD)No.316 of 2018

THE LEGAL MANAGER,
ROYAL SUNDARAM ALLIANCE INSURANCE CO.LTD.,
CHENNAI.

... Appellant/2nd Respondent.

Vs

1.SHAH NAWAZ

...Respondent/Petitioner.

2.C.V.RAJENDRAN

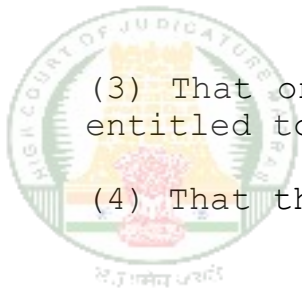
...Respondent/1st Respondent.

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award dated 11/10/2017 on the file of the Motor Accident Claims Tribunal, (Subordinate Court) Ramanathapuram, made in M.C.O.P.No.15 of 2011.

ORDER: This Appeal is coming on for 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 Mr.S.SRINIVASA RAGHAVAN, Advocate for the Appellant and of Mr.J.M.HASSANUL BAZARI, Advocate for the first respondent and of Mr.N.SABARINATHAN, Advocate for the second respondent, while allowing the appeal, by modifying the liability, this Court doth order and decree as follows:-

(1) That the award passed in M.C.O.P.No.15 of 2011 on the file of the Motor Accident Claims Tribunal, (Subordinate Court) Ramanathapuram, be and hereby is modified to the extent that the owner of the vehicle /second respondent do bear the entire liability;

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the entire award amount with all accrued interest within a period of 8 weeks from the date of receipt of copy of this Order and the appellant/insurance company is entitled to recover the same from the second respondent herein.



(3) That on such deposit being made, the claimants be and hereby is entitled to withdraw the award amount forthwith; and

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TO

The Motor Accident Claims Tribunal,
(Subordinate Court)
Ramanathapuram, .

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

+1 CC to M/s.N.SABARINATHAN, Advocate (SR-24803 dated 10/12/2020)

+1 CC to M/s.J.M.HASSANUL BAZARI, Advocate (SR-24776 dated
10/12/2020)

ORDER DATED : 09/12/2020

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DECREE

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CMA(MD) . No.316 of 2018

Allowing this Civil Miscellaneous Appeal preferred against the award dated 11/10/2017 on the file of the Motor Accident Claims Tribunal, (Subordinate Court) Ramanathapuram, made in M.C.O.P.No.15 of 2011 and etc., as stated within.

MA (CO)

<https://hcservices.accounts.gov.in/hcservices/> 2P 6C

RR(29.01.2021)