

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

CMA.No.1034 of 2011

The Divisional Manager
M/s.Cholamandalam MS General Insurance Co.Ltd,.
2nd Floor, Wajeeha Corporate Centre,
No.I, Village Road, Nungambakkam,
Chennai -600034. ... Appellant/2nd Respondent

..vs..

1. Ilangovan ..1st Respondent/ Petitioner
2. C.Ashok Kumar
S/o. Cunniyappan ..2nd Respondent/1st Respondent

Prayer : This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 21.12.2010 in M.C.O.P.No.784 of 2007 on the file of the Motor Vehicles Accident Claims Tribunal,Principal District Court, Pondicherry.

Decree:This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal , the order of the Tribunal and the material papers in the case and upon hearing the arguments of Ms. Harini For M.B.Gopalan,Advocate for the Appellant herein and notice being unserved for the respondent 1 and the 2nd Respondent having been set exparte and this court,doth order and decree as follows:

i)that the compensation award and decree dated 21.12.2010 in M.C.O.P.No.784 of 2007 of 2007 on the file of the Motor Vehicles Accident Claims Tribunal,Principal District Court, Pondicherry be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed;

ii)that the Appellant herein/Insurance Company be and hereby is directed to deposit the compensation amount along with interest, as awarded by the tribunal, less the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this judgment to the credit of MCOP.NO.784 of 2007.

iii)that on such deposit being made, the 1st respondent shall be permitted to withdraw the enhanced award amount along with interest and costs, less the amount if any,already withdrawn;

iv)that there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District Court,
(Motor Vehicles Accident Claims Tribunal)
Pondicherry..

Copy to:
The Section Officer,
VR Section,
High Court,Madras

DATED:16.02.2021
DECREE
CMA. No.1034 of 2011

While dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Vehicles Accident Claims Tribunal,Principal District Court, Pondicherry dated 21.12.2010 in M.C.O.P.No.784 of 2007 etc as stated within.

SRA(CO)
A.SK(22.11.2021)