

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

C.M.A.No.118 of 2010

National Insurance Co. Ltd.,
Divisional Office-1, 2nd Floor,
L.R.N.complex, Saradha College Road,
Salem

... Appellant/2nd Respondent

Versus

1.K.Narahari

1st Respondent/Petitioner

2.P.Kumarasankar

... 2nd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the award and decree dated 13.10.2009 made in M.C.O.P.No.1401 of 2003 on the file of the Motor Accidents Claims Tribunal (Additional District Judge and Special Judge, E.C Act, Salem.

Decree:-

This Civil Miscellaneous Appeal coming on for Judgment, upon perusing the grounds of Appeal, the award of the Tribunal below and the material records in this case and upon hearing the arguments of Mr.D.Bhaskaran, Advocate for the Appellant and of Mr.K.Kuppusamy, Advocate for the 1st respondent and the 2nd respondent not appearing either in person or through Advocate, wherein the 2nd respondent having set exparte in lower court itself, this Court doth Judgment and decree as follows:-

- 1.That the Judgment and decree of the Motor Accident Claims Tribunal, (Additional District and Special Judge, E.C.Act), Salem in M.C.O.P.No.1401 of 2003 dated 13.10.2009 be and hereby is confirmed; and this Civil Miscellaneous Appeal is dismissed;
- 2.That the Insurance company and the owner of the vehicle be and hereby are directed to deposit the total compensation of

Rs.1,92,450/- (Rupees One Lakh Ninty Two Thousand Four hundred and Fifty only) with accrued interest and costs as determined at by the Tribunal jointly and severally, within a period of six(6) weeks from the date of receipt of a copy of this judgment, after adjusting the amount, if any, already deposited;

3.That on such deposit being made, the claimant be and hereby is permitted to withdraw the same in accordance with law, less the amount if any already withdrawn by him;

4.That there be no orders as to costs in this Appeal.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

lok

To

1. The Additional District and Special Judge,
Motor Accident Claims Tribunal,
E.C.Act, Salem

Copy to:
The Section Officer,
V.R.Section,
High Court, Madras.

DATED : 28.04.2021

DECREE

C.M.A.No.118 of 2010

Dismissing the Civil
Miscellaneous Appeal preferred
against the judgment and decree dated
13.10.2009 made in M.C.O.P.No.1401 of
2003 on the file of Motor Accidents
Claims Tribunal / Additional District
Judge and Special Judge, E.C.Act,
Salem, etc., as stated therein.

GPL(CO)
SU(25/10/2021)