

IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY THE SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.590 of 2010

United India Insurance Co., Ltd.,
No.38, Third Floor, Anna Salai,
Chennai 600 002.

... Appellant/2nd
Respondent in MCOP.185/2005

vs.

1.S.Munusamy

.. 1st Respondent/ Petitioner do

2.M.Radhakrishnan

... 2nd Respondent /1st Respondent in do

Civil Miscellaneous Appeal against the Judgment and Decree
Dated 09.09.2009, MCOP.NO.185/2005 on the file of the Motor
Accident Claims Tribunal, Additional District Judge, Fast Track
Court No.4, Ponneri.

Decree: This Appeal coming on for hearing on Friday, the
Eighteenth day of December 2020 and upon perusing the Grounds
of Appeal, the order of the Lower court and the material
papers in the case and upon hearing the arguments of MR.
D.Baskaran, Advocate for the Appellant and the First Respondent
Not appearing either in person or by an Advocate and this Court
having stood over the consideration till this day and while
disposing of the Civil Miscellaneous Appeal by directing the
Appellant/Insurance Company to pay the compensation amount to
the 1st Respondent herein/Claimant recover the same from the
owner of the vehicle, i.e the 2nd Respondent herein/1st Respondent
doth order and decree as follows:

i) that the Appellant herein/Insurance Company be and hereby
is directed to deposit the award amount as awarded by the
Tribunal below together with interest at 7.5% from the date of
the claim petition till the date of deposit and cost, less any
amount already deposited, within a period of six weeks from the
date of receipt of a copy of this Judgment.

ii)that on such deposit being made, the 1st respondent herein/claimant shall withdraw the same together with interest, by filing suitable applications before the Tribunal.

iii)that the appellant herein/Insurance Company shall proceed to recover the aforesaid amount of compensation from the 2nd respondent owner of the vehicle.

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

Sd/-

Assistant Registrar(CS II)

//True Copy// Sub Assistant Registrar

To:

The Motor Accident Claims Tribunal,
Additional District Judge,
Fast Track Court No.4,Ponneri..

Copy to:

The Section Officer,
VR Section, High Court,Madras.

Dated:07.01.2021

DECREE

C.M.A.No.590 of 2010

Disposing of the Civil Miscellaneous Appeal preferred against the Judgment and decree Dated 02.02.2009, MCOP.NO.185/2005 on the file of the Motor Accident Claims Tribunal,Additional District Judge, Fast Track Court No.4,Ponneri. etc as stated within.

A.SK(13.09.2021)