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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2021

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

C.M.A.No.1164 of 2012
and M.P.No.1 of 2012

National Insurance Co. Ltd.,
Mydhily Mandiram
Janatha Junction
Palarivattom
Kochi 682 025.

...Appellant/2nd Respondent

-vs-

1.Kasambu
2.Dharmaraj
3.Jayaprakash
4.Chinnammal
5.Saleem

...Respondents/Petitioners/R1

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, against the award and Decree dated 07.07.2011 made in M.C.O.P.No.494 of 2005 on the file of the Motor Accident Claims Tribunal (Additional District Judge and Special Judge for E.C.Act Cases) at Salem.

For Appellant : Mrs.R.Sreevidhya

For Respondents : Mr.S.P.Yuvaraj for R1 to R3
R5 - Exparte
R4 - Died

J U D G M E N T

This Civil Miscellaneous Appeal has been filed against the Judgment and Decree dated 07.07.2011 made in M.C.O.P.No.494 of 2005 on the file of the Motor Accident Claims Tribunal (Additional District Judge and Special Judge for E.C.Act Cases) at Salem.

2. For the sake of convenience, the parties are referred to hereunder according to their litigative status before the Tribunal.

3. The learned counsel for the second respondent contended that the driver of the lorry, owned by the first respondent, had



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(iv) On such deposit, the appellant is permitted to withdraw the amount awarded as above, by filing a proper application before the Tribunal.



(v) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

rna

To

The Additional District Judge and
Special Judge for EC Act cases,
Motor Accidents Claims Tribunal,
Salem.

Copy to

The Section Officer,
V.R.Section,
Madras High Court,
Chennai.

+1cc to Mrs.R.Sreevidhya, Advocate, S.R.No.25844
+1cc to Mr.S.P.Yuvaraj, Advocate, S.R.No.25637

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NSK 22/11/2021