

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.2392 of 2011

United India Insurance Co., Ltd.,

No.38, Third Floor, Anna Salai,

Chennai 600 002.

... Appellant/2nd
Respondent in MCOP.176/2005

1.Ramados

.. 1st Respondent/ Petitioner

2.M.Radhakrishnan

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

Civil Miscellaneous Appeal against the Judgment and Decree Dated 28.02.2011, MCOP.NO.176/2005 on the file of the Motor Accident Claims Tribunal, Sub Court, 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,
Sub Judge,
Ponneri..

Copy to:

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

Dated:07.01.2021

DECREE

C.M.A.No.2392 of 2011

Disposing of the Civil Miscellaneous Appeal preferred against the Judgment and decree Dated 28.02.2011, MCOP.NO.176/2005 on the file of the Motor Accident Claims Tribunal, Sub Court, Ponneri. etc as stated within.

A.SK(13.09.2021)