



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY THE FOURTH DAY OF JULY
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

Civil Miscellaneous Appeal No.2141 of 2015

ICICI Lombard Motor Insurance Co Ltd.,
1st Floor, Arinichant Plaza
84/85, Wall Tax Road,
Chennai-3.

...Appellant/2nd Respondent

Vs

1.B.Stalin John Manual
2.B.Prince Abraham
3.Anni Christy
4.Bill Graham

...Respondents 1 to 3/Petitioner &
4th Respondent/1st Respondent

Prayer : Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award and decree dated 05.1.2015 made in MCOP.No.2045 of 2011 on the file of the Motor Accidents Claims Tribunal (IV Court of Small Causes), Chennai.

Decree : This Civil Miscellaneous Appeal coming on for hearing upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mrs.P.T.Ramadevi, Advocate for the Appellant and of Mr.F.Terry Chella Raja, Advocate for Respondents 1 to 3 and 4th Respondent though served having not appeared either in person or through Advocate, this Court having observed that at the time of admission of this appeals on 23.09.2015 this Court directed the appellant to deposit the entire award amount together with accrued interest within period of eight weeks(8) from the date of receipt of a copy of that order and by Subsequently dated 16.03.2016 in CMP No.4697 of 2016 and also permitted the claimants to withdraw 50% of their respective share doth order and decree as follows:

i) that the judgment and decree dated 05.1.2015 made in MCOP.No.2045 of 2011 on the file of the Motor Accidents Claims Tribunal (IV Court of Small Causes), Chennai be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed;



ii) that the Tribunal be and hereby is directed to transfer the balance award amount lying to the credit of MCOP No.2045 of 2011 on the file of Motor Accidents Claims Tribunal (IV Court of Small Causes), Chennai directly to the respective bank accounts of the respondents 1 to 3 herein/claimants as apportioned by the Tribunal through RTGS within a period of two weeks from the date of receipt of a copy of this judgment.

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

Sd/-
Deputy Registrar (Accounts)

//True copy//

Sub Assistant Registrar

To

The Motor Accidents Claims Tribunal
(IV Court of Small Causes), Chennai.

Copy To

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

+1cc to M/s.M.Malar, Advocate SR.No.33217

DATED : 14/07/2021

DECREE :

CMA.No.2141 of 2015

Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 05.1.2015 made in MCOP.No.2045 of 2011 on the file of the Motor Accidents Claims Tribunal (IV Court of Small Causes), Chennai etc., as stated therein.

PMK (CO)
GMY (18/11/2021)