

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE EIGHTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE Mr. JUSTICE D.KRISHNAKUMAR

Civil Miscellaneous Appeal No.2241 of 2012

The Divisional Manager,
United India Insurance Co. Ltd.,
No.46, Katpadi Salai,
Vellore.

... Appellant/R2

..Vs..

1. Thillaikannu, S/o Palani
... Respondent No.1/Petitioner
2. Kumari W/o Govindan
... Respondent No.2/Respondent No.1

Appeal filed U/s 173 of Motor Vehicle Act 1988, against the Decree and Judgment passed by the Chief Judicial Magistrate, Motor Accidents Claims Tribunal Thiruvannamalai, dated 30/12/2011 made in MCOP No.180/2007.

DECREE: This Appeal coming on for hearing on Monday the 8th day of February, 2021 and upon perusing the grounds of Appeal, the Decree and Order of the Tribunal of the Lower Court and upon perusing the Tribunal record, and upon hearing the arguments of Mr.D.Bhaskaran, Advocate for the Appellant and of Mr.Dilikumar, Advocate for Mr.R.Rajarajan, Advocate for respondents, this Court while allowing the appeal in respect of the Question of liability of the Insurance Company to pay compensation, doth order and decree as follow:-

1) That the Quantum of Compensation awarded by the Tribunal on 30/12/2011 in MCOP No.180/2007 be and hereby is confirmed;

2) That there shall be an award only against the Owner of the vehicle namely first respondent in the original petition (MCOP No.180/2007) and the award against the appellant herein / Insurance company shall stand set aside; and

3) And that there be no costs in this appeal;

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Judicial Magistrate Court
(Motor Accidents Claims Tribunal)
Thiruvannamalai.
2. The Section Officer,
V.R.Section,
Madras High Court,
Chennai-104.

+1cc to Mr.G.Rajan, Advocate Sr.6995

Dated:08/02/2021

DECREE

CMA No.2241 of 2012

Allowing the appeal only in respect of the Question of liability of the Insurance Company to pay compensation against the Decree and Judgment passed by the Chief Judicial Magistrate, Motor Accidents Claims Tribunal, Thiruvannamalai dated 30/12/2011 made in MCOP No.180/2007 etc., as stated within.

ev[col]
srg 11/08/2021