

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.226 of 2013

ICICI Lombard General Insurance Company Limited,
Mumbai 400 034 ... Appellant/4th Respondent

vs

1.Gunasekaran ... 1st & 2nd Respondents/Petitioners
2.Nagabushnam
3.N.Raghuraman

4. United India Insurance Company Ltd.,
No.9, Shanmugam Road, Tambaram West,
Chennai - 600 045.

5.Mr.M.R.Govindan ... Respondents 3 to 5/Respondents

Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree of the Motor Accident Claims Tribunal, Principal Subordinate Judge, Chengalpattu, made in MCOP.No.469 of 2006, dated 27.06.2011.

DECREE:This Civil Miscellaneous Appeal coming on for hearing on this day, and upon perusing the grounds of Appeal, the Judgment and Decree of the Lower court, and the records in the case and upon hearing the arguments of Mr.R.Srividhya, Advocate for the Appellant/Insurance Company and of Mr.Amar D.Pandiya, Advocate for the 1st and 2nd Respondents /Claimants and of Mr.D.Baskar, Advocate for the 4th Respondent/Insurance Company, 3rd & 5th Respondents remained exparte before the Tribunal and this Court while dismissing this Civil Miscellaneous Appeal, doth order and Decree as follows:-

i)That the Order and Decree of the Motor Accident Claims Tribunal, Principal Subordinate Judge, Chengalpattu, made in MCOP.No.469 of 2006, dated 27.06.2011, do stand confirmed and this Civil Miscellaneous Appeal is dismissed;

ii)that the Insurance Companies are directed to deposit

the award amount along with interest and costs, less the amount already deposited, if any, within a period of six weeks from the date of receipt of copy of this order.

iii)that on such deposit being made, the 1st and 2nd Respondents are permitted to withdraw their respective share award amount on the basis of apportionment fixed by the Tribunal, along with interest and costs, less the amount if any, already withdrawn.

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

Sd/-

Assistant Registrar(CS-I)

//True Copy//

Sub Assistant Registrar

To

1. The Motor Accidents Claims Tribunal,
Principal Subordinate Court, Chengalpattu.

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

+1cc to Mrs.Srividya, Advocate SR.No.52622

+1cc to Mr.P.Natarajan, Advocate SR.No.52889

DATED:07/10/2021

DECREE:

CMA.NO.226 OF 2013

Dismissing this Civil Miscellaneous Appeal preferred against the Judgment and Decree of the Motor Accident Claims Tribunal, Principal Subordinate Judge, Chengalpattu, made in MCOP.No.469 of 2006, dated 27.06.2011 etc., as stated within - No Costs.

CNR(CO)
GN(12/01/2022)