

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.227 of 2013 &
933 of 2014

1.S.Manjula
2.Minor S.Sathish
3.Minor S.Swetha
4.Minor S.Mithoon
(Minors 2 to 4 rep by their mother
S.Manjula, the 1st Respondent herein
as their natural guardian and next friend)
5.L.Selvi
6.K.Loganathan ... Appellants/Petitioner in CMA.933 of 2014/
Respondents 1 to 6 in CMA.227 of 2013
VS

1.M.Kandan
2.United India Insurance Company Ltd.,
No.9, Shanmugam Road, Tambaram West,
Chennai - 600 045.

3.M.R.Govindan ... Respondents 1 to 3/Respondents in
CMA.933 of 2014/
Respondents in CMA.227 of 2013

4.ICICI Lombard General Insurance Company Limited,
Mumbai 400 034

... 4th Respondent/Respondent in CMA.933
of 2014/ Appellant in CMA.277 of 2013

Civil Miscellaneous Appeals 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.425 of 2006, dated 28.06.2011.

DECREE:These Civil Miscellaneous Appeals 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.Amar D.Pandiya,
Advocate for Mr.P.Natarajan, Advocate for the
Appellants/Claimants and of Mrs.R.Srividhya, Advocate for the 4th

Respondent/ICICI Insurance Company, Mr.D.Baskar, Advocate for the 2nd Respondent/United India Insurance Company and the 1st & 3rd respondents owner of the vehicle remained exparte before the Tribunal and this Court 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.425 of 2006, dated 28.06.2011, do stand is confirmed and these Civil Miscellaneous Appeals are 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 Appellant 1st , 5th & 6th /Claimants 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on the basis of apportionment fixed by the Tribunal, along with interest and costs, less the amount if any, already withdrawn.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 the share award amount of the minor Appellants 2nd, 3rd & 4th /Claimants shall be deposited in a fixed deposit in a Nationalized Bank as directed by the Tribunal, and the accrued interest shall be withdrawn as directed by the Tribunal.

iv)That there be no costs in these Civil Miscellaneous Appeals.

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

+2cc to Mr.P.Natarajan, Advocate SR.No.52893 & 52890

DATED:07/10/2021

DECREE:

CMA.NO.227 of 2013

and

CMA.No.933 of 2014

 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.425 of 2006, dated 28.06.2011 etc., as stated within
- No Costs.

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