

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE EIGHTH DAY OF JULY  
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.M.A.Nos.1554 of 2016

M/s.The Oriental Insurance Company Ltd.  
Rep. by its Divisional Manager  
Vellore. ...Appellant/Respondent2

..Vs..

1.Mythili, W/o.P.Ganesan ..Respondent-1/Petitioner

2.N.Durairaj, S/o.Nadulan ...2<sup>nd</sup> Respondent/Respondent1

PRAYER: Civil Miscellaneous Appeals filed under Section 173 of Motor Vehicles Act, 1988 against the award and Decree dated 26.02.2016, made in M.C.O.P.Nos.78 of 2013 on the file of Motor Accident Claims Tribunal (Sub Court), Gudiyattam, Vellore District.

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day, 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 Mr.K.Vinod, Advocate for the Appellant, and of Mr.G.Vinodh Kumar Respondents 1 & 2, having been served not appeared either in person or through Advocate, this Court doth order and decree as follows:

- 1.that the Judgment and Decree dated 26.02.2016 made in MCOP.NO.78/2013 on the file of the Motor Accident claims Tribunal(Sub Court) Gudiyattam, Vellore District be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed.
- 2.That the Appellant herein/Insurance Company be and hereby is directed to deposit the entire award amount awarded by the Tribunal together with interest at 7.5% p.a from the date of claim petition till the date of realization, less the amount, if any, already deposited to the credit of MCOP.NO.78 of 2013, within a period of four weeks(4) from the date of receipt of a copy of this Judgment.
- 3.That on such deposit being made, the Tribunal be and hereby is directed to transfer the award amount directly to the bank account of the 1<sup>st</sup> respondent/claimant through RTGS, within a period of

two weeks thereafter.  
4. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-  
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

To

Motor Accident Claims Tribunal (Sub Court),  
Gudiyattam, Vellore District.

Copy to:  
The Section Officer,  
V.R. Section, High Court, Madras-104.

+1cc to Mr. G. Vinodh Kumar, Advocate, S.R.No.32262  
+4cc to Mrs. Elveera Ravindran, Advocate, S.R.No.32120,  
32121, 32122, 32123

Order Dated: 08.07.2021  
C.M.A. Nos. 1554 of 2016  
Nature of Decree: Dismissing  
the Civil Miscellaneous  
Appeal preferred against the  
judgment and Decree dated  
26.02.2016 made in  
MCOP.NO.78 of 2013 on the  
file of the Motor Accidents  
Claims Tribunal (Sub Court)  
Gudiyattam, Vellore  
District, etc., as stated  
therein.

PMK (CO)  
CB (23/09/2021)