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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2021

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.M.A.No.1566 of 2016

and

C.M.P.No.11808 of 2016

The United India Insurance Co. Ltd.,
Legal Departments, Silingi Buildings,
No.134, Greams Road,
Chennai - 600 002.

... Appellant/Respondent

..Vs..

1.S.Syed Vasinmuddin (minor) ...Petitioner/Claimant

Rep. by father & n.f. Syed Mohiuddin

2.R.Karunanithi ...Respondent/Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Decree and the Judgment dated 20th June, 2014, passed in M.C.O.P.No.4350 of 2011 on the file of the Motor Accidents Tribunal (VI-Court of Small Causes), Chennai.

For Appellant : Mr.G.Udaya Sankar

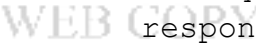
For Respondents 1 & 2 : No appearance

J U D G M E N T

This Civil Miscellaneous Appeal has been filed by the Insurance Company challenging the Award dated 20.06.2014 passed by the Motor Accident Claims Tribunal (VI-Court of Small Causes), Chennai in MCOP.No.4350 of 2011.

2. The Appellant Insurance Company has challenged the impugned award on the ground that (a) they are not liable to compensate the claimant in view of the policy violation committed by the insured and (b) the quantum of compensation awarded by the Tribunal is excessive.

3. Heard Mr.S.Udaya Sankar, learned counsel for the Appellant. There is no representation on the side of the



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9. It is represented by the learned counsel for the Appellant that the entire award amount has already been deposited to the credit of MCOP.No.4350 of 2011. This Court directs the Tribunal to deposit the amount lying to the credit of MCOP.No.4350 of 2011 in fixed deposit in any one of the Nationalised Banks, till he attains majority, since the claimant/first respondent is a minor and the father of the minor claimant is permitted to withdraw the interest once in six months for the welfare of the minor. If the minor has attained the age of majority, it is open for him to file a formal petition to declare him as major. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The VI-Court of Small Causes,
Chennai
2. The Section Officer,
V.R.Section,
High Court of Madras.

+lcc to Mr.G.Udayasankar, Advocate Sr.22121

C.M.A.No.1566 of 2016

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srg 21/09/2021