

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.NO.1602
AND
C.M.P.NO.12072 OF 2016

The Divisional Manager
The Oriental Insurance Company Limited
Katpadi Road, Vellore ...Appellant / 2nd Respondent

..Vs..

1.Anandhi, S/o.Kannan
2.Jayabal, S/o.Palanivel1 & 2 Respondents / Petitioner
and 1st Respondent

Prayer : The Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the Judgment and Decree dated 26.11.2015, made in M.C.O.P.No.310 of 2013, on the file of Motor Accidents Claims Tribunal, Special Sub Court, Tiruvannamalai.

Decree : This Civil Miscellaneous Appeal coming for hearing on this day upon perusing the Grounds of Appeal and the Judgment and Decree of the Lower Appellate Court and the records in this case, and upon hearing the arguments of Mr.K.Vinod for Mrs.Elveera Ravindran, Advocate for the Petitioner and Mr.B.Jawahar, Advocate for the first respondent, the second respondent not appeared either in person or by Advocate, and this Court while disposing of the Appeal doth Order and Decree as follows:

- 1.That the Judgment and Decree passed by the Special Sub Court, Tiruvannamalai, dated 26.11.2015, made in M.C.O.P.No.310 of 2013, be and hereby is set aside and the matter is remitted back to the Special Sub Court, MACT, Tiruvannamalai; and
- 2.That the Order of the Tribunal made in M.C.O.P.No.310 of 2013, dated 26.11.2015, do restore and proceed to dispose of the Appeal within a period of six months from the date of receipt of a copy of this Order;
- 3.That the respective parties are permitted to adduce oral and documentary evidence afresh;

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

bga

To

1.The Special Sub Judge,
Tiruvannamalai,

2.The Section Officer,
V.R.Section,
Madras High Court

+lcc to Mrs.Elveera Ravindran, Advocate, S.R.No.32125

DATED : 08.07.2021

DECREE

C.M.A.NO.1602 OF 2016

Nature of the Decree :
Disposing of the Civil
Miscellaneous Appeal preferred
against the Judgment and
Decree of the Motor Accident
Claims Tribunal, Special Sub
Court, Tiruvannamalai in MCOP
No.310 of 2013 dated
26.11.2015.

PVS(CO)
RVM(23/11/2021)