

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE TWENTY SECOND DAY OF MARCH

TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CMA No.3204 OF 2012

Sanjai Gandhi

....Appellant/Petitioner

Vs

1. V.Ramu

2. The Branch Manager,  
United India Insurance Company Limited,  
PB No.172, JN Street, Puducherry 605 001.

3. P.Sakthimurugan

...Respondents/Respondents

C.M.A. No. 3204/2012: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act against the decree and Judgment dated 30.07.2010 passed in M.C.O.P. No. 291/2009 (Tindivanam Subordinate Court M.C.O.P. No. 402/2007) by the Additional District Judge, Motor Accident Claims Tribunal, Fast Track Court No.II, Tindivanam.

DECREE; This Appeal coming on for hearing on this day upon perusing the grounds of appeal, the award of the Tribunal below, the material papers in this case and upon hearing the arguments of Mr.M.D. Asif, Advocate for Petitioner and of Mr.S.Arun Kumar, advocate for the 2<sup>nd</sup> Respondent, steps not having been taken to serve the third Respondent and the 1<sup>st</sup> Respondent not appeared either in person or by an Advocate this Court doth order and Decree as follows:

1. That the award and Decree dated 30.07.2010 made in M.C.O.P. No. 291/2009 on the file of the Additional District Judge, Motor Accident Claims Tribunal, Fast Track Court No.II, Tindivanam be and hereby is upheld and the Civil Miscellaneous Appeal is dismissed;

2. That the liability fixed on the 1<sup>st</sup> Respondent herein/Owner of the Mini Lorry and the 3<sup>rd</sup> Respondent herein/Driver of the Mini Lorry be and hereby is confirmed.

3. That the owner and Driver of the Mini Lorry be and hereby are directed to pay the entire compensation, as awarded by the Tribunal to the Appellant herein/Claimant.

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

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mst

To

1. The Additional District Judge,  
Motor Accident Claims Tribunal,  
Fast Track Court No.II, Tindivanam.

Copy to

The Section Officer, V.R. Section,  
High Court, Madras 104.

+1 CC to Mr.S. Arun Kumar, Advocate sr 18369.

Dated: 22.03.2021

DECREE:

CMA No.3204 of 2012

Dismissing the Civil Miscellaneous Appeal preferred against the Judgment and decree dated 30.07.2010 made in M.C.O.P. No. 291/2009 (Tindivanam Subordinate Court M.C.O.P. No. 402/2007) on the file of the Additional District Judge, Motor Accident Claims Tribunal, Fast Track Court No.II, Tindivanam etc as stated therein

SMI (CO)  
SP(12/01/2022)