



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT:

THE HONOURABLE MR. JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

C.M.A.No.2381 of 2019

United India Insurance Co.Ltd.,
No.24, Whites Road,
Chennai - 600 014. ..Appellant/R2

Vs.

1.K.S.Mullai
W/o.Late.A.Munisami ..R1/R2

2.M.Padhumavathy

3.S.Farooq Ali
S/o.Syed Ibrahim Sahib ..R3/R1

4.T.Sivasankari
W/o.Late.Tamilselvan ..R4/R3

Prayer: This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree by the Special Subordinate Judge, No.2, Small Causes Court, Motor Accident Claims Tribunal, Chennai dated 29.07.2016 in M.C.O.P.No.803 of 2013.

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the judgment and decree of the Lower court and upon perusing the tribunal records, and upon hearing the arguments of Mr.S.Arun Kumar, Advocate for the Appellant and of Mr.R.Shanmugakani, Advocate for the First and Second respondents and the Third and Fourth Respondents remained exparte before the Tribunal and this Court, doth order and decree as follows:

i) that the compensation award amount of a Sum of Rs.54,20,048/- (Rs.Fifty Four Lakhs Twenty Thousand and Forty Eight Only) as a compensation to the Respondents 2 and 4/Claimants passed by the Special Subordinate Judge, No.2, Small Causes Court, Motor Accident Claims Tribunal, Chennai dated 29.07.2016 in M.C.O.P.No.803 of 2013 be and hereby is confirmed and the appeal do stand confirmed;



ii)that the Appellant herein/Insurance Company be and hereby is directed to pay a sum of Rs.54,20,048/-(Rs.Fifty Four Lakhs Twetny Thousand Forty Eight Only) as compensation to the respondents 1, 2 and 4 herein/claimants along with interest and costs, less the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this judgment; and

iii)that on such deposit being made, the respondents 1, 2 and 4 herein/claimants be and hereby are permitted to withdraw the award amount along with interest and costs, after adjusting the amount already withdrawn, if any, by making necessary applications before the Tribunal; and

iv)that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Special Subordinate Judge, No.2,
Motor Accident Claims Tribunal,
Small Causes Court, Chennai.

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

+1 cc to Mr.S.Arun Kumar, Advocate Sr.NO. 6152

DATED:03.02.2021

DECREE

C.M.A.No.2381 of 2019

Dismissing the appeal preferred against the judgment and decree by the Motor Accident Claims Tribunal, Special Subordinate Judge, No.2, Small Causes Court, Chennai dated 29.07.2016 in M.C.O.P.No.803 of 2013 etc as stated within.

EV co

A.SK(12.10.2021)