



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.3094 of 2019

United India Insurance Co. Ltd,
Silingi Building, No.134, Greams Road,
Chennai - 600 006. ... Appellant/ Respondent II

Vs.

1.H.Koteeswari

2.H.Devadharshini (Minor),
D/o.Late D.Haridoss
(Minor Petitioner rep by her mother and
NG Mrs.H.Koteeswari),
Residing at No.58/71, Varadharajapuram,
Teynampet, Chennai - 600 006.

3.K.Dilliswari ... Respondents/ Petitioners/1st Respondent

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the Judgment and Decree order dated 19.11.2018 made in M.C.O.P.No.729 of 2015, on the file of the Motor Accidents Claims Tribunal Special Sub Court No.1, (Small Causes Court), Chennai.

Decree:This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal , the order of the Lower court and the material papers in the case and upon hearing the arguments of MR.J.Chandran ,Advocate for the Appellant and of Mr.S.Ravikumar, Advocate for the Respondents 1 and 2 and the Third Respondent herein Not appearing either in person or by an Advocate and this court doth order and decree as follows:

i)that the compensation award and decree dated 19.11.2018 made in M.C.O.P.No.729 of 2015, on the file of the Motor Accidents Claims Tribunal Special Sub Court No.1, (Small Causes Court), Chennai be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed;

ii)that the Appellant herein/Insurance Company be and hereby is directed to deposit the award amount together with interest at 7.5% per annum from the date of numbering of the claim petition till the date of such deposit, less any amount already deposited by it, within a period of six weeks from the date of receipt of a copy of this Judgment to the credit of MCOF.NO.729 of 2015.



iii)that on such deposit being made by the appellant herein/Insurance Company, the 1st and 3rd respondents/1st and 3rd claimants be and hereby are permitted to withdraw their shares together with interest accrued thereon, less any amount already withdrawn in the same proportion as was ordered by the Tribunal.

iv)that after attaining the age of majority, the 2nd respondent/2nd claimant be and hereby is permitted to file appropriate application before the Tribunal for withdrawing her share of compensation.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To:

1.The Motor Accidents Claims Tribunal,
Special Sub Court No.1, (Small Causes Court), Chennai.

Copy to
The Section Officer,
Vernacular Section,
Madras High Court.

+lcc to Mr.J.Chandran, Advocate SR.No. 27777
+lcc to Mr.S.Ravi Kumar, Advocate SR.No. 27764

Dated:14.06.2021
DECREE

C.M.A.No.3094 of 2019

Dismissing the Civil Miscellaneous Appeal preferred against the Judgment and decree dated 19.11.2018 made in M.C.O.P.No.729 of 2015, on the file of the Motor Accidents Claims Tribunal Special Sub Court No.1, (Small Causes Court), Chennai etc as stated within.

AK II(CO)
A.SK(15.09.2021)