



IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.236 of 2014

The New India Assurance Company Ltd.,
New Bus Stand,
Perambalur.

.. Appellant/Petitioner

Vs.

1. A.Selvarasu (deceased)	...1 st Respondent/1 st Petitioner
2. S.Periyakkal	...2 nd Respondent/2 nd Petitioner
3. S.Prabakar	...3 rd Respondent/3 rd Petitioner
4. S.Kanagaraj	...4 th Respondent/1 st Respondent

(R2 and R3 were recorded as LR's of the
deceased R1 vide order of this Court
dated 09.06.2017 made in M.P.No.1/2017)

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award and decree dated 04.01.2013, made in M.C.O.P.No.577 of 2011, on the file of the Motor Accidents Claims Tribunal, Principal District Judge, Perambalur.

Decree : This Civil Miscellaneous Appeal coming on for hearing as to admission on this day, upon perusing the grounds of Appeal the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.N.Anand, Advocate for the Appellant and Mr.K.Bala Subramaniam, Advocate for the 2nd and 3rd Respondent this Court doth order and decree as follows:

1) that the compensation award and decree dated 04.01.2013, made in M.C.O.P.No.577 of 2011, on the file of the Motor Accidents Claims Tribunal, Principal District Judge, Perambalur be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed;

2) that the appellant herein/Insurance Company be and hereby is directed to deposit the award amount along with interest and costs, less the amount already deposited, if any, within a period of six (6) weeks from the date of receipt of a copy of this judgment to the credit of M.C.O.P.No.577 of 2011;



3) that on such deposit being made, the respondents 2 & 3/claimant 2 & 3, are permitted to withdraw the award amount along with interest and costs, less the amount, if any, already withdrawn by making necessary applications before the Tribunal.

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

Sd/-
Assistant Registrar(CS-I)

//True copy//

Sub Assistant Registrar

To

1. The Motor Accident Claims Tribunal,
Principal District Court, Perambalur.

2. The Section Officer,
VR Section, High Court, Madras.

+1cc to Mr.N.Anand, Advocate SR.No.53576

+1cc to Mr.K.Bala Subramaniam, Advocate SR.No.53567

DATED : 08/10/2021

DECREE :

C.M.A.No.236 of 2014

Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 04.01.2013, made in M.C.O.P.No.577 of 2011, on the file of the Motor Accidents Claims Tribunal, Principal District Judge, Perambalur, etc., as stated therein.

MG (CO)
GMY (25/10/2021)