

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE EIGHTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.M.A.No.1079 of 2017

1.United India Insurance Company Limited,
No.38, Anna Salai,
Chennai - 600 002.

2.United India Insurance Company Limited,
No.28, III Floor,
Mailam Road,
Tindivanam.

... Appellants/Respondent 2 & 4

Vs

1.Vaiyapuri

2.Jagajothi

3.Pandiraj

...1 to 3 Respondents/Petitioners

4.A.Sakthi

5.M/s.Ram Silks

No.184, Jawaharlal Street,
Pondicherry.

...4th and 5th Respondents/
Respondents 1 & 3

This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 against the Judgment and Decree dated 13/03/2012 made in M.C.O.P.No.4542 of 2000 on the file of the Motor Accident Claims Tribunal, The III Judge, The Small Causes Court, at Chennai.

DECREE:This Appeal coming on for hearing on Monday, fifteenth day of March and Two thousand and Twenty One upon perusing the the Grounds of Appeal the award of the Tribunal below and the material papers in this case and upon hearing the arguments of M/s.R.Sreevidya, Advocate for the appellant and Mr.Kishore Kumar for N.S.Sivakumar for Respondents 1 to 3 and having stood over for consideration till this day, this Court while allowing the appeal in part by modifying the award of the tribunal doth order and decree as follows;

i) That the Appellant/Insurance Company be and hereby is directed to pay the compensation as ordered by the Tribunal with liberty to recover 75% of the award amount paid on behalf of the lorry owner;

ii) That there be no costs in this appeal;

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The III Judge,
(Motor Accident Claims Tribunal)
Small Causes Court,
Chennai.

Copy to

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

+1cc to M/s.N.S.Sivakumar, Advocate Sr.17915

Dated:18/03/2021

DECREE

CMA No.1079 of 2017

Partly allowing the Civil Miscellaneous appeal preferred against the Judgment and decree dated 13.03.2012 made in MCOP No.4542 of 2000 on the file of the Motor Accident Claims Tribunal, The III Judge, The Small Causes Court at Chennai etc., as stated within.

Sra[co]

srg 01/11/2021