



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A.NO.1114 OF 2017

S.Karthick

... Appellant/Petitioner

Versus

1. S.Raja Gopalan
2. The National Insurance Company Limited,
No. 1751, Anna Salai III Floor,
Chennai - 600 002.

... Respondents/Respondents

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award and decree dated 04.09.2013 made in M.C.O.P.No.2886 of 2012 on the file of the Motor Accidents Claims Tribunal, VI Small Causes Court, Chennai.

Decree:- This Civil Miscellaneous Appeal coming on for hearing 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.K.Varadha Kamaraj, Advocate for the Appellant and Mr.C.R.Krishnamurthy, Advocate for the Second Respondent wherein First Respondent having set exparte in lower court itself, this court doth order and decree as follows:-

i) that the Judgment and Decree dated 04.09.2013 made in M.C.O.P.No.2886 of 2012, on the file of the Motor Accidents Claims Tribunal, VI Small Causes Court, Chennai be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed;

ii) that the Second Respondent herein/Insurance Company be and hereby is directed to deposit the award amount along with interest and costs as awarded by the Tribunal, less the amount, if any already deposited, within a period of eight weeks from the date of receipt of a copy of this judgment;

iii) that on such deposit being made, the appellant herein/claimant be and hereby is permitted to withdraw the award amount, along with accrued interest and costs as awarded by the



Tribunal, less the amount, if any already withdrawn, by filing necessary application before the Tribunal;

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

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Motor Accidents Claims Tribunal,
(VI Small Causes Court), Chennai.
2. The Section Officer, V.R.Section,
High Court of Madras, Chennai-600 104.

+1cc to M/s.K.Varadha Kamaraj, Advocate, S.R.No.66263

DATED : 13.12.2021

DECREE :

C.M.A.No.1114 of 2017

Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 04.09.2013 made in M.C.O.P.No.2886 of 2012 on the file of the Motor Accidents Claims Tribunal, VI Small Causes Court, Chennai, etc., as stated therein.

PMK (CO)
RLP (26/04/2022)