



IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.M.A.No.539 of 2017

D.J.P.Johnson

.. Appellant/ Petitioner

Vs.

1.C.Kutty

2.IFFCO TOKIO General Insurance Company Ltd.,
No.145/131, Nelson Manickam Road,
Metha Nagar,
Chennai-29.

.. Respondents/ Respondents

Prayer: Civil Miscellaneous Appeal against the award and decree of the Motor Accident Claims Tribunal, III Judge, Small Causes Court, Chennai made in M.C.O.P.No.3272 of 2010 dated 17.04.2013.

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 hearing the arguments of Mr.K.Varadha Kamaraj, Advocate for the Appellants and of Mr.J.Michael Visvasam, Advocate for the Second Respondent and First Respondent having set exparte and this Court while dismissing this Civil Miscellaneous Appeal, doth order and decree as follows:

i) that the award and decree of the Motor Accident Claims Tribunal, III Judge, Court of Small Causes, Chennai made in M.C.O.P.No.3272 of 2010 dated 17.04.2013 be and hereby is confirmed.

ii) that the Respondents herein be and hereby are directed to deposit the entire award amount of Rs.1,08,540/- (Rs.One Lakh Eight Thousand Five Hundred and Forty Only) along with interest and costs, to the credit of M.C.O.P.No.3272 of 2010 on the file of the III Judge, Motor Accidents Claims Tribunal, Court of Small Causes, Chennai, less the amount if any already deposited, within a period of twelve weeks from the date of receipt of a copy of this Order.



iii)that on such deposit being made, the appellant/claimant be and hereby is permitted to withdraw the award amount along with interest and costs, after adjusting the amount, if any already withdrawn, by filing necessary applications before the Tribunal.

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

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

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

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

+1 cc to Mr.J.Michael Visvasam, Advocate Sr.NO.22981

+1 cc to Mr.K.Varadha Kamaraj, Advocate Sr.NO. 22696

DATED:15.04.2021

DECREE

C.M.A.No.539 of 2017

Dismissing the Civil Miscellaneous Appeal filed against the Motor Accident Claims Tribunal,III Judge, Small Causes Court, Chennai made in M.C.O.P.No.3272 of 2010 dated 17.04.2013 etc as stated within.

SVI (CO)

A.SK(20.10.2021)