



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Seventeenth day of March,
Two Thousand and Twenty One

PRESENT

The Honourable Mr. Justice K. KALYANASUNDARAM
CMA(MD) . No.1148 of 2011

WEB COPY

The United India Insurance Co. Ltd.,
The Divisional Office II,
Salai Road,
Thillai Nagar,
Trichy - 18.

... Appellant/2nd Respondent

Vs.

1. Nallaiyan
2. Padalayee

... Respondents 1 & 2/Petitioners

3. Sathishkumar

... 3rd Respondent/1st Respondent

4. Veeranan

... 4th Respondent/3rd Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Principal District Judge, The Motor Accident Claims Tribunal (Principal District Court), Tiruchirappalli dated 29.03.2011 made in M.C.O.P. No.1654 of 2006.

DECREE:- This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.G.Prabhu Rajadurai, Advocate for the Appellant, and of Mr.AN.Ramanathan, Advocate for Respondents 1 and 2 herein (The 3rd Respondent not appearing either in person or through Advocate and the notice to R4 being dispensed with vide Memo filed under USR No.2015 dated 11.04.2019), this Court while allowing the Appeal, doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal (Principal District Court), Tiruchirappalli dated 29.03.2011 made in M.C.O.P. No.1654 of 2006 be and hereby is set aside;

(2) That the Award amount deposited by the Appellant lying to the credit of the Claim Petition shall be refunded to them;



(3) And that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS III)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

TO

The Principal District Judge,
The Motor Accident Claims Tribunal(Principal District Court),
Tiruchirappalli.

Copy to:

The Record Keeper,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate, Copy Application SR.
No.12301 dated 18/03/2021.

+1 CC to M/s.AN.RAMANATHAN, Advocate, Copy Application SR. No.12042
dated 18/03/2021.

ORDER DATED : 17/03/2021

=====

DECREE

=====

CMA(MD). No.1148 of 2011

Nature of Decree:-

Allowing the Civil Misc.
Appeal preferred against
the judgment and decree
of the Motor Accident
Claims Tribunal (Principal
District Court), Tiruchirappalli
dated 29.03.2011 made in
M.C.O.P. No.1654 of 2006 and
giving directions etc. as
stated therein.

KK (25.05.2021) 2P 6C