



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Thursday, the Eighth day of April

Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD) . No.1278 of 2009

The Branch Manager,
The New India Assurance Co Ltd.,
Pudukkottai Town & (T.K.) & (D.t) ... Appellant/2nd Respondent

Vs

1.Ranjitham
2.Parvathi
3.Sivaraman ...1 & 2 Respondents/Petitioners
...3rd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 to set aside the decree and judgment dated 27/08/2008 made in MCOP No.393 on the file of the Motor Accident Claims Tribunal (Additional District Court/Fast Rack Court), Pudukkottai.

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.B.Vijay Karthikeyan, Advocate for the Appellant and Mr.P.Ganapathi Subramaniam, Advocate for the Respondents 1 and 2 and Mr.K.Balasundaram, Advocate for the 3rd Respondent, and this court while dismissing this Civil Miscellaneous Appeal, doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal (Additional District Court/Fast Rack Court), Pudukkottai dated 27/08/2008 made in MCOP.393/2003 be and hereby is confirmed.

(2)that the Appellant herein/Insurance Company be and hereby is directed to deposit the entire award amount made in MCOP.No.393 of 2003 with accrued interest and costs, less the amount already deposited, if any, within a period of eight weeks from the date of service of the judgment.



(3) that on such deposit being made, the Respondents 1 and 2 herein/Claimants be and hereby are permitted to withdraw the award amount as apportioned by the tribunal, less the amount already withdrawn, if any, together with proportionate interest and costs.

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

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal,
(Additional District Court/Fast Track Court),
Pudukkottai.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to Mr.P.Ganapathi Subramanian, Advocate SR.15607

+1 CC to Mr.B.Vijay Karthikeyan, Advocate SR.15689

ORDER DATE : 08/04/2021

DECREE

C.M.A. (MD) .No.1278/2009

Nature of Decree: While Dismissing the Appeal preferred against the judgment and decree dated 27/08/2008 made in MCOP.No.393 of 2003 on the file of the Motor Accident Claims Tribunal (Additional District Court/Fast Track Court, Pudukkottai, etc., as stated therein.

KMV (CO)

TR(08.06.2021) 2P 6C