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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Twenty Fifth day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD). No.1347 of 2010

THE GENERAL MANAGER,
NEW INDIA ASSURANCE COMPANY
LIMITED, TRICHY-8 ... Appellant / 2nd Respondent

Vs

1 L.THANGAVEL
S/O.LINGAM, NO.3/4, MARIAMMANKOIL
STREET, ASOOR VILLAGE,
TRICHY DISTRICT ... 1st Respondent / 1st Petitioner

2 ANNAKILI
W/O.MURUGESAN, NO.3/4, MARIAMMANKOIL STREET,,
ASOOR VILLAGE,
TRICHY DISTRICT. ... 2nd Respondent / 2nd Petitioner

3 T.KANNAN
S/O.THIYAGARAJAN, 41/1, SUBRAMANIAKOIL,
STREET, MELA CHINATHAMANI,
TRICHY-2 ... 3rd Respondent / 1st Respondent

Prayer:-
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Additional District and Sessions Judge, Motor Accident Claims Tribunal, Fast Track Court No.I, Tiruchirapalli.

DECREE:-
This Civil Miscellaneous Appeal having came up for final hearing on Tuesday, the ninth day of March Two thousand and twenty one, 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.D.SIVARAMAN, Advocate for the Appellant and of Mr.N.SUDHAGAR NAGARJ, Advocate for the respondent, having stood over for consideration till this day, this Court doth order and decree as follows:

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(1) That the award passed in MCOP No.3257 of 2002 dated 28.04.2010 by the Additional District and Sessions Judge, Motor Accident Claims Tribunal, Fast Track Court No.I, Tiruchirapalli be and hereby is setaside and the Civil Miscellaneous Appeal is Allowed..

(2) That the tribunal below be and hereby is directed to refund the amount deposited by the Appellant/Insurance Company before the Tribunal to them.

(3) That there be no order as to costs in this Appeal.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
FAST TRACK COURT No.I,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUCHIRAPALLI.

Copy to:

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

ORDER DATED : 25/03/2021

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DECREE
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CMA(MD). No.1347 of 2010

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the award of the Additional District and Sessions Court, Motor Accident Claims Tribunal, Fast Track Court No.I, in MCOP No.3257 of 2002 dated 28.04.2010 and etc., as stated therein

kmk(CO)
TR(07.06.2021) 2P 4C

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