



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

**Wednesday, the Twenty Second day of December Two Thousand and
Twenty One**

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD)No.1106 of 2013

ORIENTAL INSURANCE CO.LTD.,
REP.BY ITS DIVISIONAL MANAGER,
NO.16, NORTH VELI STREET,
MADURAI-1.

... APPELLANT/2ND RESPONDENT

Vs

1.S.CHINNAIAH

...1ST RESPONDENT/PETITIONER

2.K.MANI

...2ND RESPONDENT/2ND RESPONDENT

3.MURUGAN

...3RD RESPONDENT/3RD RESPONDENT

4.M/S.ROYAL SUNDARAM ALLIANZ,
GENERAL INSURANCE CO.LTD.
REP.BY ITS BRANCH MANAGER,
MADURAI.

...4TH RESPONDENT/4TH RESPONDENT

Prayer :- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award dated 16.09.2011 made in MCOP.No.642 of 2006 on the file of the Motor Accident Claims Tribunal, III Additional Sub Judge, Madurai.

Decree:- This Civil Miscellaneous Appeal came up for final hearing on this day, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers of the case and upon hearing the arguments of Mr.C.Jawahar Ravindran, Advocate for the Appellant and Mr.M.P.Senthil, Advocate for the 1st Respondent, Respondents 2 to 4 not appeared either in person or by Advocate, doth order and decree as follows:-

i) That the Judgement and Decree passed in MCOP.No.642 of 2006 on the file of Motor Accident Claims Tribunal, III Additional Sub Judge, Madurai, be and hereby is set aside and this Civil Miscellaneous Appeal is allowed; with a direction mentioned in the judgment herein,

ii) That the appellant and the fourth respondent be and hereby are directed to pay 50% of the compensation each with 7.5% interest



within six weeks from the date of the receipt of a copy of this
Judgement;
iii) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The III Additional Subordinate Judge,
Motor Accident Claims Tribunal,
Madurai.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court, Madurai. (2 COPIES)

+1 CC to M/s.M.P.SENTHIL, Advocate, SR.No.40197

ORDER DATED : 22/12/2021

=====

DECREE

=====

CMA(MD)No.1106 of 2013

**Nature of Decree:-Allowed the Civil
Miscellaneous Appeal preferred against
the III Additional Sub Judge, MACT,
Madurai, made in MCOP.No.642 of 2006,
dated 16.09.2011.**

RD(11.01.2022) 2P 5C