



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

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

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD) . No.149 of 2011

NEW INDIA ASSURANCE COMPANY LIMITED
DIVISIONAL OFFICE JEROME BUILDING ,
FORT STATION ROAD TRICHY..

... Appellant/Respondent No.2

Vs

1 JOSEPH

...1st Respondent/petitioner

2 VIJAI ARUMUGAM

... 2nd Respondent/1st respondent.

Prayer:-

This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award dated 23.07.2010 passed in MCOP No.371 of 2008 on the file of the Motor Accident Claims Tribunal, III Additional Sub-Court, Trichy.

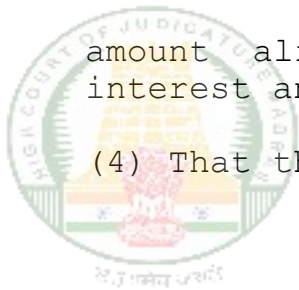
DECREE:-

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 N. DILIPKUMAR, Advocate for the Appellant and of B. VINOTH BALAN, Advocate for the 1st respondent, and the Second respondent dismissed vide order of this court dated 29.11.2017 and this Court doth order and decree as follows:-

(1) That the award dated 23.07.2010 passed by the Motor Accident Claims Tribunal, III Additional Sub-Judge, Trichy passed in MCOP No.371 of 2008 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the entire award amount with accrued interest and costs, less the amount already deposited, if any, within a period of 8 weeks from the date of receipt of copy of this judgment.

(3) That on such deposit being made, the /1st respondent/ claimant be and hereby is permitted to withdraw the award amount, less the



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amount already withdrawn, if any, together with proportionate interest and costs; and

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The III Additional Subordinate Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL, Trichy.

Copy to:

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

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-12085 dated 18/03/2021)

ORDER DATED : 17/03/2021

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DECREE

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CMA(MD). No.149 of 2011
Dismissing this Civil
Miscellaneous Appeal by confirm
the judgment and decree dated
23.7.2010 made by the III
Addl.Sub. Judge, MACT, Trichy
in MCOP.No.371/2008.

KB(18.06.2021) 2P 5C