



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

Friday, the Twenty Sixth day of February Two Thousand and Twenty
One

PRESENT

The Hon'ble Mr. Justice K. KALYANASUNDARAM
CMA(MD). No.434 of 2011

WEB COPY

THE MANAGER,
THE NEW INDIA ASSURANCE CO. LTD.,
THANJAVUR. ... Appellant/2nd Respondent

Vs

- 1 SARITHA
- 2 MINOR REGUNATH
(R2 REP. BY THEIR GUARDIAN &
MOTHER R1) ..
- 3 NATARAJAN
- 4 SAROJA
- 5 SIVAMURTHY ... Respondents 1 to 5 / Petitioners
- 6 RAMASAMY ... 6th Respondent / 1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal (1st Additional District and Sessions Judge) (PCR), Thanjavur, dated 09.08.2010 made in M.A.C.O.P.No.15 of 2008.

DECREE:-

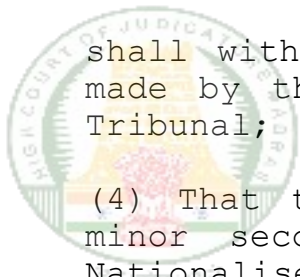
This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.G.PRABHU RAJADURAI, Advocate for the Appellant and of MR.S.DEENADHAYALAN, Advocate for the respondents 1 to 5, and MR.S.ARUNACHALAM, Advocate for the respondent-6, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal (1st Additional District and Sessions Judge) (PCR), Thanjavur, dated 09.08.2010 made in M.A.C.O.P.No.15 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 Order;

<https://hcservices.ecourts.gov.in/hcservices/>

(3) On such deposit, the Respondents 1, 3 to 5 / Claimants 1, 3 to 5



shall withdraw the award amount as per the ratio of apportionment made by the Tribunal, by making necessary application before the Tribunal;

(4) That the Tribunal be and hereby is deposit the share of the minor second respondent/second Claimant in any one of the Nationalised Bank in a Fixed Deposit initially for a period of three years and renewable thereafter, till the minor attain majority;

(5) That the mother of the minor Claimant/1st Respondent is permitted to withdraw the accrued interest once in three months directly from the bank;and

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The 1st Additional District and Sessions Judge(PCR),
Motor Accident Claims Tribunal, Thanjavur.

Copy to:

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

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-7760 dated 01/03/2021)

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-7944 dated 01/03/2021)

ORDER DATED : 26/02/2021

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DECREE

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CMA(MD). No.434 of 2011

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal (1st Additional District and Sessions Judge) (PCR), Thanjavur, dated 09.08.2010 made in M.A.C.O.P.No.15 of 2008, etc. stated within.