



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Twenty First day of April Two Thousand Twenty One

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PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD) . No.662 of 2009

THE BRANCH MANAGER,
THE NEW INDIA ASSURANCE CO. LTD.
DINDIGUL..

... Appellant /2nd Respondent

Vs

1 SENTHILKUMAR

...1st Respondent/Claimant

2 V.MUNIYAPPAN

... 2nd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree dated 12.02.2009 made in MCOP No.290 of 2003 on the file of the Motor Accident Claims Tribunal/ Additional Subordinate Court, Dindigul.

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 Respondents not appearing either in person or by an Advocate, this Court doth order and decree as follows,

(1) That the the judgment and decree dated 12.02.2009 made in MCOP No.290 of 2003 on the file of the Motor Accident Claims Tribunal / Additional Subordinate Court, Dindigul. 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 eight weeks from the date of receipt of a copy of the Judgment;

(3) That on such deposit being made, the 1st Respondent herein/Claimant be and is hereby permitted to withdraw the amount, less the amount already withdrawn, if any, together with proportionate interest and costs; and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 (CSIII)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal,
Additional Subordinate Court, Dindigul.

Copy to:

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

+1 CC to M/s.B.VIJAY KARTHIKEYAN, Advocate in Sr.No.17308/2021.

ORDER DATED : 21/04/2021

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DECREE

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CMA(MD) . No.662 of 2009

Nature of Decree:- Dismissing
the Civil Miscellaneous
Appeal preferred against the judgment
and decree dated 12.02.2009 made in
MCOP No.290 of 2003 on the file of
the Motor Accident Claims Tribunal/
Additional Subordinate Court,
Dindigul, as stated with in.

KB(09.06.2021) 2P 5C