



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Friday, the Sixteenth day of April Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD). No.548 of 2011

UNITED INDIA INSURANCE COMPANY LIMITED,
REPRESENTED BY ITS BRANCH MANAGER,
23-C,EAST CAR STREET, TENKASI.. ... Appellant/ 2nd Respondent

- Vs -

1 GUNASUNDARI

2 MAHESHPANDIAN,

(Second Respondent is declared as major and discharged from the guardian of his mother vide court order dated 23.07.2020 made in C.M.P.(MD). 1503 OF 2020 in C.M.A.(MD)No.548/2011)

(The name of the Second Respondent is amended as per the order of this Court, dated 16.04.2021 in C.M.P.(MD). 2701 OF 2021 in C.M.A.(MD)No.548/2011)

3 GOMATHY

4 SUNDARAMOORTHY1 to 4 Respondents / Claimants

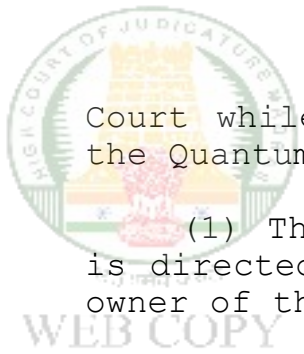
5 K.VEERAPANDI, ... 5th Respondent / 1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree dated 01.12.2010 made in M.C.O.P.No.199 of 2009 on the file of the Motor Accient Claims Tribunal, Additional District Judge / Fast Track Court No.I, Tirunelveli.

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.R.SRINIVASAN, Advocate for the Appellant and of MR.V.SASIKUMAR, Advocate for Respondents 1, 2 and 4 and of MR.K.SAMIDURAI, Advocate for the 3rd Respondent and 5th Respondent, who are not appearing either in person or by an Advocate, this



Court while Allowing the Civil Miscellaneous Appeal and confirming the Quantum, doth order and decree as follows:-

(1) That, the Appellant herein/Insurance Company be and hereby is directed to pay the award amount and thereafter recover from the owner of the vehicle; and

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accient Claims Tribunal,
Additional District Judge / Fast Track Court No.I, Tirunelveli.

Copy to:

The Section Officer,

V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-16406 dated 19/04/2021)

ORDER DATED : 16/04/2021

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DECREE
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CMA(MD). No.548 of 2011

Nature of Decree:- Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 01.12.2010 made in M.C.O.P.No.199 of 2009 on the file of the Motor Accient Claims Tribunal, Additional District Judge / Fast Track Court No.I, Tirunelveli, as stated with in.

svn(CO)

TR(25.06.2021) 2P 5C