



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

**Tuesday, the Sixteenth day of March Two Thousand and Twenty One
PRESENT**

**The Hon`ble Mr.Justice K.KALYANASUNDARAM
CMA(MD). No.732 of 2011**

WEB COPY

THE BRANCH MANAGER,
M/S ORIENTAL INSURANCE COMPANY LIMITED,
BRANCH OFFICE, PB.NO.124 CHEERANVELIL BUILDINGS,
N.H.220, KANCHIRAPPALLI,
KOTTAYAM DISTRICT,
KERALA STATE.

.. Appellant/Respondent No.2

Vs

1. RAMAKRISHNAN

.. Respondent No.1/Petitioner No.1

2. SHANTHI

.. Respondent No.2/Petitioner No.2

3. SAINUDEEN

.. Respondent No.3/Respondent No.1

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, Sub Court, Uthamapalayam dated 29/09/2009 passed in MCOP NO.104 of 2008.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this day, 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. S.C. RAMACHANDRAN, Advocate for the Appellant, MR. K. GUHAN, Advocate for the 1st and 2nd respondent and there was no appearance for the 3rd respondent, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal, Sub Court, Uthamapalayam dated 29/09/2009 passed in MCOP NO.104 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, within a period of 8 weeks from the date of receipt of copy of this order, less the amount already deposited if any;

(3) That on such deposit, the claimants/respondents 1 and 2 be and hereby is permitted to withdraw the award amount by filing necessary application before the Tribunal.



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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accidents Claims Tribunal,
The Subordinate Judge,
Uthamapalayam.

Copy to:

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

ORDER DATED : 16/03/2021

=====

DECREE

=====

CMA(MD). No.732 of 2011

Nature of Decree:-Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal, Sub Court, Uthamapalayam, passed in MCOP NO.104 of 2008, dated 29/09/2009 etc., as stated within.

TR(30.04.2021) 2P 4C