



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

Monday, the Eighteenth day of January Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD) . No.623 of 2010

WEB COPY

THE NEW INDIA ASSURANCE COMPANY LIMITED,
PERIYAKULAM ROAD, THENI.

... Appellant/2nd Respondent

Vs

1 AMUTHAVALLI,
W/O.LATE.RATHINAVEL PANDIAN, KADAMALAIGUNDU VILLAGE,
ANDIPATTI TALUK, THENI DISTRICT.

... 1st Respondent/ Petitioner

2 PARAMASIVAM
S/O.KARUPPIAH THEVAR,
NO.13, MELAPATTI,
KADAMALAIKUNDU VILLAGE, ANDIPATTI TALUK,,
THENI DISTRICT.

...2nd Respondent /1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree in M.C.O.P. No 167 of 2008 dated 08.12.2009 on the file of the Motor Accident Claims Tribunal, Principal District Court,Theni.

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. J.S.MURALI, Advocate appearing for the Appellant and of MR.S.PALANI VELAYUTHAM, Advocate appearing for the first respondent,and the second Respondent not appeared either in person or by an Advocate, this Court doth order and decree as follows:-

(1) That the award passed by the MotorAccident Claims Tribunal, Principal District Court,Theni, dated 08.12.2009 passed in M.C.O.P. No 167 of 2008 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

(2) That the Appeallant herein/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 the judgment.
....2

(3) That on such deposit being made, the 1st Respondent herein/claimant be and hereby is permitted to withdraw the award amount by making necessary application before the Tribunal. and



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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

To

Principal District Judge
The MOTOR ACCIDENT CLAIMS TRIBUNAL.
Court,
Theni.

Copy to:

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

+1 CC to M/s.J.S.MURALI, Advocate (SR-1054 dated 19/01/2021)

ORDER DATED : 18/01/2021

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DECREE
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CMA(MD) . No.623 of 2010

Nature of Decree:- Dismissing
the Civil Miscellaneous
Appeal preferred against the
judgment and decree in M.C.O.P. No
167 of 2008 dated 08.12.2009 on the
file of the MotorAccident Claims
Tribunal, Principal District
Court,Theni.

KB(15.02.2021) 2P 5C