



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**  
**( Civil Appellate Jurisdiction )**  
**Tuesday, the Third day of August Two Thousand Twenty One**  
**PRESENT**

**The Hon`ble Mrs.Justice R.THARANI**

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**CMA(MD) . No.901 of 2013**

THE ORIENTAL INSURANCE COMPANY  
LIMITED REP BY ITS BRANCH MANAGER ,  
3607/21 SATHIYAMOORTHY ROAD PUDUKKOTTAI,  
PUDUKKOTTAI DISTRICT.. .. Appellant/2<sup>nd</sup> Respondent

Vs

- 1 CHELLAMMAL  
W/O. LATE ARUMUGAM, INDIRA NAGAR, METTUPATTI,,  
THIRUMALAIRAYASAMUTHIRAM, PUDUKKOTTAI,  
DISTRICT..
- 2 VIJAYASUNDARAM  
S/O. LATE ARUMUGAM, INDIRA NAGAR, METTUPATTI,,  
THIRUMALAIRAYASAMUTHIRAM, PUDUKKOTTAI,  
DISTRICT..
- 3 SUBRAMANIAN  
S/O. LATE ARUMUGAM, INDIRA NAGAR, METTUPATTI,,  
THIRUMALAIRAYASAMUTHIRAM, PUDUKKOTTAI,  
DISTRICT..
- 4 MANGAIYAR SELVI  
S/O. LATE ARUMUGAM, INDIRA NAGAR, METTUPATTI,,  
THIRUMALAIRAYASAMUTHIRAM, PUDUKKOTTAI,  
DISTRICT.. .. Respondents/Claimants
- 5 GNANAVEL  
256/2, VEMBANPATTI, KANDHARVAKKOTTAI TALUK,,  
PUDUKKOTTAI DISTRICT. ..5<sup>th</sup> Respondent/1<sup>st</sup> Respondent

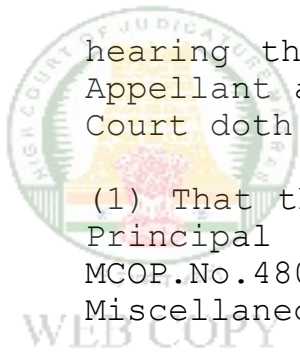
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal cum Principal District Court, Pudukkottai, dated 16.12.2019 made in MCOP.No.480 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

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hearing the arguments of MR.C.JAWAHAR RAVINDRAN, Advocate for the Appellant and of MS.T.BANUMATHY , Advocate for the respondents, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal cum Principal District Court, Pudukkottai , dated.16.12,2019 made in MCOP.No.480 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 Rs.1,84,800/- ( Rupees One Lakh Eighty Four Thousand Eight hundred only) awarded by the Tribunal, together with interest at 7.5% interest from the date of the claim petition till date of realization and the amount if not deposited earlier ,has to be deposited within a period of 8 weeks from the date of receipt of copy of this judgment to the credit of MCOP.No.480 of 2008 on the file of the Motor Accident Claims Tribunal cum Principl District Court, Pudukkottai;

(3) That on such deposit being made, the claimants 1 to 4 be and are hereby permitted to withdraw their respective shares as apportioned by the Tribunal with proportionate interest after deducting any amount received by them earlier without filing any formal petition before the Tribunal;

(4) That excess amount ,if any deposited shall be refunded to the appellant/Insurance Company

(5) That the respondents/Claimants 1 to 4 are not entitled for interest for the default period ,if there is any; and

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Principl District Judge,  
Motor Accident Claims Tribunal,  
Pudukkottai.

Copy to:

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



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ORDER DATED : 03/08/2021

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DECREE

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CMA(MD). No.901 of 2013 Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the The Principal District Judge, Motor Accident Claims Tribunal, Pudukkottai. Dated.16.12.2019. made in MCOP.No.480 of 2008.

KB(16.08.2021) 3P 4C